

**VILLAGE OF HINSDALE
MINUTES OF THE
SPECIAL MEETING OF THE
VILLAGE BOARD OF TRUSTEES
February 1, 2010**

The Special meeting of the Hinsdale Village Board of Trustees was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Monday, February 1, 2010 at 7:32 p.m.

Present: President Tom Cauley, Trustees J. Kimberley Angelo, Bob Saigh, Laura LaPlaca, Doug Geoga, Cindy Williams, by phone and Bob Schultz

Absent: None

Also Present: Village Attorney Ken Florey, Assistant Village Manager/Director of Finance Darrell Langlois, Acting Director of Community Development Robb McGinnis, Police Chief Brad Bloom, Fire Chief Mike Kelly and Deputy Village Clerk Christine Bruton

Also Present: Pam Lannom with The Hinsdalean, Amy Deis representing The Doings, Christine Martin with the Tribune and Don Grigus with the Suburban Life

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Trustee LaPlaca moved **to approve the minutes of the Regular Meeting of January 19, 2010, the Closed Session of December 15, 2009 and the Closed Session of January 5, 2010.** Trustee Saigh seconded the motion.

AYES: Trustees Williams Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

CITIZENS' PETITIONS

President Cauley asked that those present to speak on the matter of the helistop or the generators, please hold their comments until those items are addressed by the Board. There were no citizen comments at this time.

VILLAGE PRESIDENT'S REPORT

On behalf of the Board, President Cauley extended condolences to the family of Mr. Chuck Foster. Mr. Foster was a successful businessman in Hinsdale; he had been an active member of the community as a member of the Plan Commission, a former Village Board Trustee and a dedicated member of the Chamber of Commerce.

President Cauley commented on the letter the Fire Department sent to a local newspaper last week, wherein they stated that layoffs at the Fire Department in connection with the proposed sharing of services with Clarendon Hills would adversely affect public safety. He stated that letter was written without the benefit of the details of a final arrangement with Clarendon Hills, the details of which have not been finalized. The concept includes a common dispatch service and standardized communications, neither of which would adversely affect response time or public safety in either community. In fact, the two fire stations are strategically located to provide optimal service to the two communities. Over time, the proposal will allow the two communities to share equipment, resulting in further cost savings. President Cauley gave his assurances that the proposed concept would not raise any public safety issues. He hopes to have something for the Board by the next meeting.

Like so many other communities, Hinsdale is in the midst of a financial crisis, and in an effort to address this, the Board is taking a hard look at all expenditures, including police and fire services. The corporate fund budget is \$16.4 million, of that \$5 million and \$4 million is spent on police and fire services, respectively, in other words, sixty cents of every dollar goes to police and fire. He outlined the growth of the Fire Department; in 1997 there were 6 persons per shift, in 2003 there were 7 persons per shift and in 2004 there were 8 persons per shift. Last year 2 firefighters and one administrative assistant were laid off, resulting in two 8 person shifts and one 7 person shift. Today, there are still five more employees in the Fire Department than there were in 1997. Fire Department operating expense has increased 66% over the past seven years and annual pension costs have increased 200% over the last eight years. The Village currently has an unfunded liability to the Firefighters pension plan of \$10 million. The proposed shared services agreement with Clarendon Hills is one way to reduce costs without disruption.

President Cauley reminded everyone that the Illinois primary election is tomorrow and reiterated the dire financial straits of the State.

CONSENT AGENDA

President Cauley read the consent agenda as follows:

Items Recommended by Administration & Community Affairs Committee

Item A: **Ordinance Amending Title 3 (Business and License Regulations), Chapter 3 (liquor Control), Section 3-3-5 (Local Liquor Licenses), to Create a New Class A5 Drug Store Liquor License Classification and Amending Subsection 3-3-5G Related to the Number of Liquor Licenses by Reducing the Number of Full Service Restaurants Permitted to Four (4) and Increasing the Number of Limited Service Restaurants to Four (4)**

Item B: **Rental Agreement with Salt Creek Club for use of the Community Pool on July 24, 2010**

Items Recommended by Zoning & Public Safety Committee

Item C: **Ordinance Authorizing Vacating the West Half of Public Alley Right-of-Way Adjacent to and East of 625 S. Monroe Street**

Item D: **Ordinance Approving a Special Use Permit, Site Plans and Exterior Appearance Plans for the Installation of a Cellular Antenna on the Property Located at 15 Spinning Wheel Road**

Trustee Saigh moved to **approve the Consent Agenda, as amended.** Trustee Schultz seconded the motion.

AYES: Trustees Williams, Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ADMINISTRATION AND COMMUNITY AFFAIRS

Trustee Angelo moved **Approval and Payment of the Accounts Payable for the period of January 15, 2010 through January 29, 2010 in the aggregate amount of \$567,800.35 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Schultz seconded the motion.

AYES: Trustees Williams, Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

Rejection of all Bids for Bid #1464 for the Service of Downtown Landscaping

President Cauley introduced the item saying it is administrative in nature. Trustee LaPlaca remarked that staff is working to put together a more modest proposal to be reviewed at the next EPS meeting. Trustee Angelo moved to **approve the Rejection of all Bids for Bid #1464 for the Service of Downtown Landscaping**. Trustee Saigh seconded the motion.

AYES: Trustees Williams, Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ZONING AND PUBLIC SAFETY

Ordinance Amending Section 7-105 (Special Uses) and 12-206 (Definitions) of the Hinsdale Zoning Code regarding Helistops in the Health Services District

Ordinance Approving a Special Use Permit for a Helistop at the Property Located at 120 North Oak Street

Ordinance Approving a Major Adjustment to a Planned Development and Site Plans and Exterior Appearance Plans for the Expansion of the Existing Hospital Located at 120 North Oak Street

Trustee LaPlaca read the three items before the Board and in the matter of the Special Use Permit for a helistop, she noted that at the ZPS meeting, she had moved to approve the special use permit if it included a provision allowing for unilateral revocation during a specific time period. Section F of the ordinance states that the second year after adoption and every four years thereafter, the Trustees can revoke the special use if thru the operation of the helistop, the hospital has not continued to satisfy the standards of a special use permit and not complied with helistop criteria. By adding this provision, the Board could determine a significant change of conduct from what was represented and they could take action through the public hearing process of revoking the special use permit.

Trustee LaPlaca moved to approve an **Ordinance Amending Section 7-105 (Special Uses) and 12-206 (Definitions) of the Hinsdale Zoning Code regarding Helistops in the Health Services District and Ordinance Approving a Special Use Permit for a Helistop at the Property Located at 120 North Oak Street and Ordinance Approving a Major Adjustment to a Planned Development and Site Plans and Exterior Appearance Plans for the Expansion of the Existing Hospital Located at 120 North Oak Street.** Trustee Schultz seconded the motion.

President Cauley commented that the Trustees have reviewed all previous presentations, and in his mind, the issue isn't whether Hinsdale should have a helistop, but whether it should be moved from Ogden Avenue to the hospital garage. Therefore, the two questions that need to be answered are: 1.) Does moving it meaningfully enhance the saving of lives, and 2.) If so, does that enhancement outweigh any safety factor in a fairly dense residential area. He also mentioned a resident email received today, that asked why the helipad is proposed for the 35' garage when there are taller structures on the property.

Mr. John George, the attorney representing the hospital, stated that the hospital has no objection to the two year/four year review addition to the ordinance.

Mr. David Crane, Hospital President, stated that the difference in time between the proposed site versus Ogden Avenue would be approximately 20-30 minutes. There are five additional steps required to move a critical patient from the Ogden Avenue location resulting in as much as 60 minutes more. He and other hospital staff came forward and outlined the importance of saving every minute for these patients as well as the increased risk to life each time the patient is moved.

Mr. Gary Stevens, Illinois Department of Transportation, Division of Aeronautics, commented on the proposed location of the helistop. He explained that he looked at proposed location and wrote a letter that was in the original packet of materials, stating that this is a feasible location for the helistop. He examined close obstacles and applied the aviation safety rules as specified by the State of Illinois. Further, his initial site inspection and double checking, indicate enough clear area for a good field of approach. He also noted that there are two flight approaches, but that EMS pilots are not required to use either when conditions are not favorable. He also confirmed that an alternative landing site is not a requirement. He said there are 140 hospital helistops in Illinois, a third of which are on rooftops, there is a 40 year history of transport in Illinois, resulting in only one fatal accident. Mr. Stevens stated this proposed site meets and exceeds Illinois safety standards and FAA criteria.

Mr. Crane interjected that, regarding the question from the Village resident as to why the two higher rooftops are not being utilized for the helistop, it is because there is no patient access from the hospital to either of those roofs. Mr. George reminded the Board that their approval of the proposal is only a first step; the plan will be extensively reviewed by the Illinois Department of Transportation Aeronautic Division.

The term flight currency was explained as the minimum amount of experience a pilot requires to be considered legally current by FAA regulations. Trustee Angelo expressed concern that a pilot might not be experienced in landing in Hinsdale, however, Mr. Stevens replied that all pilots train for these types of transports and that one flight a day would be considered frequent.

Trustee Angelo stated that he appreciates the asset the hospital is to the Village, but he believes there are statistics regarding medical helicopter transports that should be brought to light. He reported national accident statistics from 2000 to 2005 wherein 10% of all active medical helicopters crashed; this is a 2% accident rate, or 1 in 50 per year. In 2008 there were 12-15 crashes, many of which occurred in clear weather, during routine transfers between helipads. The statistics are sobering, and helicopter interfacility transportation is lagging behind in many areas of safety. Canada has not had a fatal EMS accident since 1977, they have much stricter regulations and helicopters fly with two pilots. Trustee LaPlaca pointed out that there are different safety standards in different States, perhaps the standards in Illinois are more comparable to Canada. Mr. George stated that the hospital has the authority and discretion to choose a helicopter company.

Trustee Geoga stated that he is a neighbor of the hospital, and although the idea that helicopter transport is quicker and compelling, residents have asked questions about helicopter movement in dense residential safety. If the use is really limited to life saving situations, we would almost all agree that this limited use would not be sufficient to reduce property values and create a nuisance. The proposed ordinance contains language to make sure this is used only for the purpose as stated. As a caring but cautious community, giving it a try seems reasonable. Trustee Schultz thanked Mr. Crane and team for bringing forth the plan. Trustee LaPlaca hopes the new language in the ordinance comforts the neighbors and hopes that people remember that the hospital would not put their staff at risk, either, this is not a status symbol or a mere convenience, but is essential to patient safety and care. Trustee Williams noted the hospital is one of our best community partners and she applauds the practitioners who gave their time to explain this matter to our community. Trustee Saigh is anxious about this and if this is approved, he hopes that the review in two years of the experience and performance of the helistop will include specific, complete and truthful data about time factors, situational factors, and the outcomes and benefits of the transports to the patients.

President Cauley asked if anyone present wanted to speak to this matter, hearing nothing, President Cauley confirmed that the Board would be voting on all three items at once and asked the Clerk to call the question.

AYES: Trustees Williams, Saigh, LaPlaca, Geoga, Schultz

NAYS: Trustee Angelo

ABSTAIN: None

ABSENT: None

Motion carried.

Ordinance Amending Section 9-6-6 of the Village Code of Hinsdale and Article IX (District Regulations) and Article III (Single Family Residential Districts), Section 3-110 of the Hinsdale Zoning Code to Permit Generators in Required Interior and Corner Side Yards in Single-Family Residential Districts

Trustee Williams moved to approve an **Ordinance Amending Section 9-6-6 of the Village Code of Hinsdale and Article IX (District Regulations) and Article III (Single Family Residential Districts), Section 3-110 of the Hinsdale Zoning Code to Permit Generators in Required Interior and Corner Side Yards in Single-Family Residential Districts.** Trustee Schultz seconded the motion.

President Cauley explained that this matter has been before the Board of Trustees, the Plan Commission, ZPS and back to the Board. The Plan Commission passed the item on a vote of 5-3. The ordinance contains the limitation that the noise level not exceed 70 decibels and that the unit be exercised at certain hours so as not to create a nuisance. President Cauley stated that he thinks certain Trustees believe that the Village should retain the existing text for back yard generators and leave it incumbent upon the ZBA to address these issues. Trustee Geoga asked staff to explain why the numbers used were chosen in relation to the location of the generator from the house and the lot line. Acting Director of Community Development Robb McGinnis said the National Fire Prevention Association regulates the generators and dictates the placement of the unit. Discussion followed and it was explained that staff used 3 ft. from the lot line after discussion with the Fire Chief, who agreed this was a reasonable distance to accommodate a firefighter and a line for fire service.

Trustee Saigh raised concerns about controlling the decibel level and pointed out many factors can affect the noise level, including reverberations and echoes and age of equipment. Village Attorney Ken Florey pointed out that should the Village issue a ticket for a noise violation, and were it to be enforced at the circuit court level, an

actual measurement would be required. Trustee LaPlaca noted that required screening would further reduce the decibel level. Discussion followed regarding changing the ordinance to reference the manufacturer's sticker decibel number. Mr. McGinnis reported that the Village has not received any complaints from side yard generator neighbors to date. Mr. Cochlan interjected that this volume of noise is like a conversation, that lawn mowing and snow blowing are much louder. Trustee Geoga suggested changing the allowable time for exercising the generators to the middle of the day.

Attorney Florey read the proposed changes, stating that the time line for exercising the generators is between 10:00 a.m. and 2:00 p.m. and that persons may only install units where the manufacturers specifications are of 70 decibels or less at 7 meters.

Trustee Williams and Trustee Schultz withdrew the motion and second on the floor. Trustee Schultz moved to approve an **Ordinance Amending Section 9-6-6 of the Village Code of Hinsdale and Article IX (District Regulations) and Article III (Single Family Residential Districts), Section 3-110 of the Hinsdale Zoning Code to Permit Generators in Required Interior and Corner Side Yards in Single-Family Residential Districts, as amended.** Trustee LaPlaca seconded the motion.

Trustee Angelo stated that anyone in town can have a generator, but not in a side yard encroachment. He also referenced a gentleman with a pie shaped lot, who, had he come to the ZBA, would most likely have received an approval. Trustee Saigh agreed that the ZBA is the proper recourse for matters of this nature.

AYES: Trustees Williams, LaPlaca, Geoga, Schultz

NAYS: Trustees Angelo and Saigh

ABSTAIN: None

ABSENT: None

Motion carried.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

None.

STAFF REPORTS

None.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

Trustee LaPlaca remarked that there is a good article in the most recent Illinois Municipal Review regarding surviving the new budgetary order.

ADJOURNMENT

There being no further business before the Village Board of Trustees, Trustee LaPlaca **moved to adjourn the special meeting of February 1, 2010 into closed session and not to reconvene according to 5 ILCS 120/2(c)(1) appointment, employment compensation, discipline, performance or dismissal of specific employees or legal counsel, and 5 ILCS 120/2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees, and 5 ILCS 120/2(c)(11) Litigation, filed or pending before a court or administrative tribunal or when an action is probable or imminent.** Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Williams, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 9:19 p.m.

ATTEST: _____
Christine M. Bruton, Deputy Village Clerk