



**MINUTES OF A RESCHEDULED REGULAR
VILLAGE BOARD MEETING OF
THE VILLAGE OF CLARENDON HILLS
PRESIDENT AND BOARD OF TRUSTEES**

**Village of Clarendon Hills
One North Prospect Avenue, Clarendon Hills, Illinois**

January 21, 2020

President Austin called the meeting to order at 7:00 p.m.

1. ROLL CALL

Present at Roll Call: President Austin and Trustees DeDobbelaere, Hall, Jordan, Jorissen, and Knoll

Absent: Trustee Freve

Also Present: Village Manager Barr, Community Development Director Ungerleider, Finance Director Potempa, Fire Chief Leahy, Police Chief Dalen, and Public Works Director McLaughlin

2. PLEDGE OF ALLEGIANCE

3. PETITIONS AND COMMUNICATIONS/PRESIDENT'S REPORT

3.1. Sergeant Ed Leinweber, Detective Brett Robak, and Officer Madeline Spelman were each presented with an Official Commendation for the teamwork and professionalism they displayed during their response and subsequent investigation of a fatal automobile collision on Rte. 83 on October 20, 2019.

3.2. President Austin stated that Mary Arnold, a 49-year resident of the Village and former Village Clerk who served from 1979 to 2002, passed away on December 22, 2019. He offered condolences to the Arnold family, and requested that a moment of silence be observed in her honor.

4. ADDRESSES FROM THE AUDIENCE – NON-AGENDA ITEMS

President Austin stated that he believes several residents are in attendance this evening to discuss the installation of 5G equipment in the Village. He provided background information regarding this issue, actions the Village has taken to date, and limitations imposed upon the Village by State and Federal statutes regarding the number and placement of 5G poles. He stated that the Village is aware that many stakes have recently been placed throughout the community without permission or any communication. President Austin requested that residents with comments unrelated to the 5G issue be allowed to address the Board first.

Resident Linda Mersky stated that she and her husband will be sponsoring a free screening of the documentary film "Chasing Coral" at 10:00 a.m. on February 1, 2020 at the Downers Grove Public Library. The documentary film follows a team of scientists, filmmakers, and photographers

who capture evidence of warming oceans and the unprecedented increase in the rate of coral reef bleaching.

Resident Roberta Schwinn addressed the Board regarding two matters. First, she asked if there was any update regarding her previous question regarding proof of rabies certificates for pets. Police Chief Dalen advised that there was not and outlined the Village's practice regarding pet licensing. Second, Ms. Schwinn asserted that she was assaulted on the street by a neighbor, but the police advised her that guidelines did not allow for charges to be filed. Police Chief Dalen advised that he was not aware of the incident, but the guidelines in question are dictated in ILCS Chapter 720, which is available online.

Several residents addressed the Board regarding the 5G installation issue. Resident Kristyn Dunn voiced her concern regarding potential health/safety issues and expressed concern that "the Village not having the power to control it" was not an acceptable answer. She volunteered that she was a lawyer by profession. Trustee Jordan asked her if she was aware of any statute that would allow the Village to further regulate this use. She stated she was not. At this point, Board members stated that residents should consider contacting their State and Federal representatives.

Resident Kimberly Lowe expressed concern regarding the aesthetics of placing 5G poles throughout the Village. She asked if the Village had considered hiring a professional consultant to review carrier applications. Village Manager Barr stated that he received a proposal earlier today from the same person whom the Village of Hinsdale hired and that he anticipates bringing a proposal to the Board at an upcoming meeting. Ms. Lowe asked if the Village could require telecom companies to apply for individual licenses for each pole. She also requested that the Village post as much information as possible regarding this issue on the Village's website.

Resident Jim Eggert asked why Verizon Wireless (Verizon) has been allowed to survey and place stakes throughout the Village without applying for or being issued a permit to do so. He also asked if there were other ways in which the Village could leverage Verizon to make Verizon listen to residents' concerns. He also suggested that the Village consider selling parkways to residents so that they would become private property and unavailable for cell tower installations.

Resident Athena Reed voiced her concern regarding potential health risks if cellular equipment is placed near houses, schools, or parks. She also stated that additional health studies need to be conducted.

Resident Kim Randle stated that her primary concern is also the potential health risk issues. She asked if a map is available indicating where the stakes are currently located. Community Development Director Ungerleider stated that he has an outdated map. He will contact Verizon to request updated information, which will be posted on the Village's website. Ms. Randle also asked why some of the stakes seemed so close together and stated that other States appear to be taking action to stop 5G installation.

Resident Jim Eggert again addressed the Board and suggested that legislators' and Verizon's contact information be included on the Village website so that residents can express their concerns.

5. RECESS TO STANDING COMMITTEE MEETINGS

Trustee Jordan moved to recess to the Administrative and Legislative, Community and Intergovernmental Affairs, Finance, Land Use, Public Safety, and Public Services Committees at 8:22 p.m. Trustee Hall seconded.

On the call of the roll, the vote was as follows:

Ayes: Trustees DeDobbelaere, Hall, Jordan, Jorissen, and Knoll

Nays: None

Absent: Trustee Freve

MOTION CARRIED

Administrative and Legislative

1. Chapter 4, Section 8(A) of the Village Code currently imposes publishing requirements that are not required by State statute. Staff recommended amending that section to delete the requirements for the Village Clerk to publish Village Board proceedings and Resolutions in pamphlet form within ten days of their approval. An Ordinance was presented for first consideration that amends Chapter 4, Section 8(A) of the Village Code regarding publishing requirements.

2. In July 2019, the Illinois Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act went into effect, making it illegal to sell tobacco products, electronic cigarettes, and alternative nicotine products to anyone under the age of 21, rather than under the age of 18. The State also removed the illegal “possession” by minor provision in the law. Staff recommended amending Section 44.23 of the Village Code to reflect the recent changes made to Illinois law. Staff also recommended amending Section 44.33 of the Village Code to reflect the permissive or restricted use of cannabis-related paraphernalia promulgated by the Illinois Cannabis Regulation and Tax Act. Additionally, staff recommended amending the Village Code to add a new Section 44.36 regarding the authorized use of cannabis promulgated by the Illinois Cannabis Regulation and Tax Act and the Compassionate Use of Medical Cannabis Program Act. An Ordinance was presented for first consideration that makes several amendments to Chapter 44 of the Village Code regarding the sale and distribution of tobacco to minors, prohibition on the sale and possession of drug paraphernalia, and possession of cannabis.

Community and Intergovernmental Affairs

1. Trustee Hall stated that the Local Liquor Commission (LLC) met prior to this evening’s Village Board meeting to consider a liquor license request from Tierra Distilling Co., LLC to distill and serve flavored brandies and whiskeys and local craft beers. The LLC recommended that a new class of liquor license be created with an annual renewal fee of \$1,000. The Board concurred with the LLC’s recommendation and requested that the Village Attorney draft an Ordinance for the creation of a new class of liquor license to be granted to Tierra Distilling Co., LLC.

Finance

1. On December 16, 2019, the Board adopted Ordinance No. 19-12-50, which called for a Joint Review Board meeting and a Public Hearing to consider the designation of a Downtown Tax Increment Financing (TIF) District. The Village was scheduled to conduct the Joint Review Board meeting on January 7, 2020 in the Village Hall Board Room and hold the Public Hearing on February 18, 2020 during the rescheduled Regular Village Board meeting. Because insufficient postage was placed on the Joint Review Board meeting and Public Hearing notices that were mailed on December 19, 2019 to the Taxing Districts impacted by the proposed Downtown TIF District and the Illinois Department of Commerce and Economic Opportunity, it was necessary to reschedule the Joint Review Board meeting. On December 30, 2019, new notices were mailed indicating that the Joint Review Board meeting had been rescheduled to January 14, 2020 at 3:00 p.m. in the Village Hall Board Room. An Ordinance was presented for adoption that amends Ordinance No. 19-12-50 by correcting the date of the Joint Review Board meeting and ratifying and approving the rescheduling of the Joint Review Board meeting and the providing of notice relative to said rescheduled meeting.

2. During the 2019 Special Service Area (SSA) Road Improvement Program, it was determined that two properties located at 200 and 201 Grant Avenue were not included in SSA No. 33 nor in any other SSA. After discussing whether the Village should create a separate SSA consisting of only those two properties, it was the consensus of the Board that the Village should continue to absorb the taxes that would have been paid by those properties. It was also determined during the 2019 SSA Road Improvement Program that the Village erroneously included three properties on Harris Avenue in both SSA No. 23 and SSA No. 25. Staff requested that the Village Attorney be authorized to draft the documents necessary to proceed with the removal of those three properties from the 2019 tax levy and all future tax levies for SSA No. 25. The Board supported staff's request.

Land Use

1. On December 19, 2019, the Zoning Board of Appeals/Plan Commission (ZBA/PC) held a public hearing to consider a proposed Conditional Use for a distillery in the B-2 General Business District requested by Tierra Distilling Co., LLC. The applicants, Brandon Getchel and John Keeley, requested conditional use approval to operate a green distillery specializing in distilling flavored spirits in the renovated building on the subject property. The ZBA/PC unanimously recommended approval of the requested Conditional Use based upon the preliminary site, floor, and elevation improvement plans, and the conditions and finding of facts. An Ordinance was presented for first consideration that grants a Conditional Use for a distillery (Tierra Distilling Co., LLC) in the B-2 General Business District located at 211 Burlington Avenue.

Public Safety

1. Over the past few years, the Police Department has received an increasing amount of complaints regarding increased traffic and excessive speeding in the Village. Staff requested authorization to purchase four semi-permanent speed signs that can be placed along the Village's main thoroughfares for extended periods of time. Staff believes that, if strategically placed, the

signs will help to reduce speeding. The four signs will cost \$21,740 and will include one year of equipment and data collection management. Every year thereafter, it will cost \$1,500 per sign to continue with the traffic data suite. A Resolution was presented for adoption that authorizes the purchase of four Speed Alert 18 Radar Message Signs equipped with solar panels from All Traffic Solutions in the amount of \$21,740.

2. During the Village's last strategic planning session, the Board requested that staff study succession issues and mid to long-term operating issues for the Fire Department. Staff requested authorization to accept the proposal from McGrath Consulting Group, Inc. to conduct an operational assessment of fire, rescue, and EMS services provided by the Fire Department as well as the future configuration of the Fire Department's leadership team after Fire Chief Leahy retires. The calendar year 2020 budget includes \$30,000 for this expense. A Resolution was presented for adoption that approves a Proposal to Conduct an Operational Assessment/Departmental Leadership-Team Study of the Clarendon Hills Fire Department from McGrath Consulting Group, Inc. for an amount not to exceed \$27,750.

Public Services

1. In April 2019, the Village notified the Illinois Department of Transportation (IDOT) that it was necessary to postpone the outbound train station portion of the Downtown Revitalization Project/Streetscape Program due to a dispute between the Illinois Commerce Commission (ICC) and the BNSF regarding the cost of the planned railroad crossing improvement. Because of this dispute, the project was divided into two phases. On July 15, 2019, the Board approved a Construction Engineering Services Agreement with Terra Engineering, Ltd. to complete Phase I of the streetscape improvement component. Based on recent discussions, staff now believes a resolution between the ICC and the BNSF is imminent. Therefore, staff requested approval of a supplement to the original agreement to prepare a second set of construction documents for the second construction contract of the Downtown Revitalization Project/Streetscape Program. A Resolution was presented for adoption that approves Supplement No. 1 to the Construction Engineering Services Agreement with Terra Engineering, Ltd. for Phase 2 of the Downtown Revitalization Project/Streetscape Program for an amount not to exceed \$48,570.91.

2. As part of the Train Station Improvement Project, Legat Architects (Legat), the project architects for the new train station, recommended that the Village hire an independent consultant to provide third-party oversight of materials used during construction of the new train station facilities. \$40,000 has been budgeted for this service. The Village obtained four proposals. After reviewing each proposal, both Legat and staff recommended that the Village accept the proposal from ECS Midwest, LLC. A Resolution was presented for adoption that approves a Construction Materials Testing Services Agreement for the Train Station Improvement Project with ECS Midwest, LLC for an amount not to exceed \$39,497.50.

3. Staff requested authorization to purchase a 2020 Ford F150 pickup truck to serve as the Public Works Director's vehicle. \$42,500 has been budgeted for this expense. Staff requested authorization to waive the competitive bidding process and to purchase the vehicle and associated aftermarket equipment from Roesch Ford in Bensenville using the same price that was obtained by

the Suburban Purchasing Cooperative in the amount of \$31,931. A Resolution was presented for adoption that authorizes the purchase.

The Public Works Department's 2010 three-ton dump truck (Unit 11) is scheduled to be replaced in calendar year 2020. Staff requested authorization to waive the competitive bidding process and replace the 2010 model with a 2021 Peterbilt Model 348 from JX Truck Center of Bolingbrook, Illinois using the same bid price that was obtained by the Sourcewell/National Joint Powers Alliance in the amount of \$165,410.73. The calendar year 2020 budget includes \$160,000 for this expense. The additional overage of \$5,410.73 will be absorbed within the Department's budget. A Resolution was presented for adoption that authorizes the purchase.

4. Several locations throughout the Village required additional sidewalk or curb replacement after the 2019 Sidewalk Removal and Replacement Program was completed as a result of water main repairs, street repairs, sidewalk heaving, and drainage adjustments. Three quotes were received for the additional work. Globe Construction Inc. had the most competitive pricing and was able to complete the work in November 2019. Staff requested authorization to pay Globe Construction Inc.'s invoice in the amount of \$20,532.

5. In 2017, the Village established a residential Stormwater Cost Share Program to provide financial assistance to multiple, neighboring residents seeking to make improvements to address flooding conditions affecting their properties. The Program was extended through 2019. Staff requested authorization to make the Program available again for 2020. A Resolution was presented for adoption that approves the establishment of a Stormwater Cost Share Program for calendar year 2020 in the amount of \$10,000.

6. RECONVENE THE VILLAGE BOARD MEETING

Trustee Jordan moved to reconvene the Village Board meeting at 9:15 p.m. Trustee Hall seconded.

On the call of the roll, the vote was as follows:

Ayes: Trustees DeDobbelaere, Hall, Jordan, Jorissen, and Knoll

Nays: None

Absent: Trustee Freve

MOTION CARRIED

7. ADDRESSES FROM THE AUDIENCE – AGENDA ITEMS – There were none.

8. CONSENT AGENDA/OMNIBUS VOTE

Trustee Knoll moved to approve the Consent Agenda as itemized by President Austin. Trustee Hall seconded.

On the call of the roll, the vote was as follows:

Ayes: Trustees DeDobbelaere, Hall, Jordan, Jorissen, and Knoll

Nays: None

Absent: Trustee Freve

MOTION CARRIED

- 8.1. Approval of the Regular Village Board Meeting Minutes of December 16, 2019 – OMNIBUS VOTE
- 8.2. First Consideration of “An Ordinance Amending Chapter 4 of the Municipal Code in regard to Publishing Requirements” – OMNIBUS VOTE
- 8.3. First Consideration of “An Ordinance Amending Chapter 44 of the Clarendon Hills Municipal Code in regard to the Sale and Distribution of Tobacco to Minors, Possession of Cannabis, Prohibition on the Sale and Possession of Drug Paraphernalia” – OMNIBUS VOTE
- 8.4. Approval of Claims Ordinance 20-01-01 – OMNIBUS VOTE
- 8.5. Approval of Claims Ordinance 20-01-01M – OMNIBUS VOTE
- 8.6. Approval of Claims Ordinance 20-01-02 – OMNIBUS VOTE
- 8.7. Waive First Consideration, Second Consideration/Adoption of “An Ordinance Amending Ordinance No. 19-12-50, Adopted December 16, 2019, Entitled, ‘An Ordinance Calling for a Public Hearing and a Joint Review Board Meeting to Consider the Designation of a Redevelopment Project Area and the Approval of a Redevelopment Plan and Project for the Village of Clarendon Hills [Downtown Tax Increment Financing District],’ and Ratifying and Approving the Rescheduling of the Joint Review Board Meeting and the Providing of Notice Relative to Said Rescheduled Meeting” (Ordinance No. 20-01-01) – OMNIBUS VOTE
- 8.8. First Consideration of “An Ordinance Granting a Conditional Use for a Distillery in the B-2 General Business District at 211 Burlington Avenue (Tierra Distilling Co., LLC)” – OMNIBUS VOTE
- 8.9. Adoption of “A Resolution Authorizing the Purchase of Four Speed Alert 18 Radar Message Signs Equipped with Solar Panels from All Traffic Solutions, Herndon, VA for the Police Department in the Amount of \$21,740” (Resolution No. R-20-01) – OMNIBUS VOTE
- 8.10. Adoption of “A Resolution Authorizing and Approving an Agreement for an Operational Assessment/Department Leadership-Team Study of the Clarendon Hills Fire Department between the Village of Clarendon Hills and McGrath Consulting Group, Inc. for an Amount Not to Exceed \$27,750” (Resolution No. R-20-02) – OMNIBUS VOTE
- 8.11. Adoption of “A Resolution Authorizing and Approving a Construction Engineering Services Agreement between the Village of Clarendon Hills and Terra Engineering, Ltd. for Phase II of the Clarendon Hills’ Downtown Revitalization Project for an Amount Not to Exceed \$48,570.91” (Resolution No. R-20-03) – OMNIBUS VOTE

- 8.12. Adoption of “A Resolution Authorizing and Approving a Construction Materials Testing Services Agreement for the Clarendon Hills’ Train Station Improvement Project between the Village of Clarendon Hills and ECS Midwest, LLC for an Amount Not to Exceed \$39,497.50” (Resolution No. R-20-04) – OMNIBUS VOTE
- 8.13. Adoption of “A Resolution Authorizing the Payment of an Invoice in regard to the 2019 Sidewalk Removal and Replacement Program to Globe Construction Inc. in the Amount of \$20,532” (Resolution No. R-20-05) – OMNIBUS VOTE
- 8.14. Adoption of “A Resolution Approving the Establishment of a Stormwater Cost Share Program for the 2020 Calendar Year in the Amount of \$10,000” (Resolution No. R-20-06) – OMNIBUS VOTE

9. NON-CONSENT AGENDA ITEMS

- 9.1. Trustee Jordan moved to Adopt “A Resolution Authorizing Waiving the Bidding Process and Approving the Purchase of a 2021 Peterbilt Model 348 Cab and Chassis with Three Ton Dump Body through JX Truck Center of Bolingbrook, IL in the Aggregate Amount of \$165,410.73” (Resolution No. R-20-07). Trustee Knoll seconded.
On the call of the roll, the vote was as follows:
Ayes: Trustees DeDobbelaere, Hall, Jordan, Jorissen, and Knoll
Nays: None
Absent: Trustee Freve
MOTION CARRIED
- 9.2. Trustee Jordan moved to Adopt “A Resolution Authorizing Waiving the Bidding Process and Approving the Purchase of a Ford F150 Pickup Truck from Roesch Ford of Bolingbrook, IL in the Amount of \$31,931” (Resolution No. R-20-08). Trustee Knoll seconded.
On the call of the roll, the vote was as follows:
Ayes: Trustees DeDobbelaere, Hall, Jordan, Jorissen, and Knoll
Nays: None
Absent: Trustee Freve
MOTION CARRIED

10. REPORTS OF OFFICERS

- Village Manager Barr explained that Clerk Tandle is not in attendance tonight due to an emergency family situation. He announced that Zach Creer will be returning to the Village as Assistant to the Village Manager on February 3, 2020. He stated that he, Board members, and staff are very pleased to welcome Zach back to his former position. Manager Barr stated that he received an email from Kristina Cesca during tonight’s meeting stating she is wholeheartedly against the implementation of 5G technology. He reported that the Village Administrator from LaGrange Park forwarded an email from an organization named HomeSnacks at homesnacks.net which ranked Clarendon Hills as the 9th “best place to live” in Illinois. He reported that staff will be bringing an Ordinance to

the Board's attention regarding participation in Village meetings by out of town Board members. He stated that several residents have approached him with questions or concerns regarding ribbons that have been placed around town and the parking of large RVs. He would like to discuss these matters at a future meeting.

- Community Development Director Ungerleider reported that niche.com ranked Clarendon Hills No. 1 out of 636 communities in Illinois as "best place to live" in Illinois, No. 1 as "best suburb" in Illinois, and No. 3 as "best place to raise a family" in Illinois.
- Finance Director Potempa announced that the Village is still accepting applications for the Finance Department's Senior Accountant position.
- Fire Chief Leahy reported that he and Police Chief Dalen were advised that phone lines went down today at 5:45 p.m. for all 911 calls to Du-Comm, Addison Consolidated Dispatching, and the Sherriff's Office in DuPage County. It is unknown why this occurred, but all calls were successfully re-routed to Northwest Central Dispatch in Arlington Heights and Naperville.
- Public Works Director McLaughlin reported that the Department has been working with engineers to plan for several summer projects, including the Eastern Avenue pedestrian bridge, cleaning up the soils from the former gas station on Park Avenue, and the Hinsdale Golf Club easement issue. Staff is preparing tree trimming bid packets and is trying to identify and package all necessary projects for Village buildings, including window, HVAC, and roof replacements.

11. OTHER BUSINESS – There was none.

12. EXECUTIVE SESSION – There was none.

13. ADJOURNMENT

There being no further business to come before the Board, Trustee Jordan moved to adjourn the meeting at 9:35 p.m. Trustee Hall seconded.

On the call of the roll, the vote was as follows:

Ayes: Trustees DeDobbelaere, Hall, Jordan, Jorissen, and Knoll

Nays: None

Absent: Trustee Freve

MOTION CARRIED

Dawn M. Tandle
Village Clerk