

Village of La Grange Board of Trustees Regular Meeting

Date: Monday, February 09, 2009

Time: 7:30 PM

Location: Village Hall Auditorium

Minutes of the Meeting

MINUTES

VILLAGE OF LA GRANGE

BOARD OF TRUSTEES REGULAR MEETING

Village Hall Auditorium

53 South La Grange Road

La Grange, IL 60525

Monday, February 9, 2009 - 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

The Board of Trustees of the Village of La Grange regular meeting was called to order at 7:30 p.m. by President Asperger. On roll call, as read by Village Clerk Robert Milne, the following were present:

PRESENT: Trustees Horvath, Kuchler, Langan, Livingston, Palermo and Wolf

ABSENT: None

OTHERS: Village Manager Robert Pilipiszyn
Assistant Village Manager Andrianna Peterson
Village Attorney Mark Burkland
Community Development Director Patrick Benjamin
Finance Director Lou Cipparrone
Public Works Director Ryan Gillingham
Fire Chief David Fleege
Police Chief Mike Holub

2. PRESIDENT'S REPORT

President Asperger announced that after the regular Village Board meeting there would be a brief recess to reconvene in a workshop setting to discuss the Capital Projects Fund for the upcoming budget. President Asperger explained to the audience that there would be a short interruption in broadcasting in order to set-up for the workshop which would

be televised live.

President Asperger expressed her delight in the return of Assistance Public Works Director Mike Bojovic.

Lastly, President Asperger announced that April 6 and April 9 are the scheduled dates for this year's Spring Clean Up and noted additional information would be posted on the Village website.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Kathy Deane, 100 S. Ashland inquired about the revised theatre renovation agreement and President Asperger responded.

4. OMNIBUS AGENDA AND VOTE

A. Resolution (#R-09-01) – Approving Amendments to the Agreement and By-Laws for the West Central Cable Agency

B. Open Meetings Act – Review of Closed Session Minutes

C. Consolidated Voucher 090209 (\$598,944.08)

D. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, January 26, 2009

It was moved by Trustee Langan to approve items A, B, C, and D of the Omnibus Agenda, seconded by Trustee Livingston. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo, Wolf and President Asperger

Nays: None

Absent: None

5. CURRENT BUSINESS

A. Revised Theater Renovation Agreement: Referred to President Asperger

President Asperger explained that on November 10, 2008 the Village Board approved the agreement for a public-private partnership for the renovation of the La Grange

Theatre. At that time, it was acknowledged that the agreement may be revised if the theatre owners would incur an unintended tax consequence as a result of the sale of the easement to the Village.

It was subsequently determined that a significant tax liability would accrue to the theater owners. As a result, the form of the agreement was revised. These changes are discussed in the Village Attorney's memorandum included in the agenda packet. President Asperger explained that while the structure of the Village's contribution to the renovation project has been revised, the fundamentals of the Village's partnership with the theater owners, and the provisions of the Renovation Agreement memorializing that partnership, have not changed significantly.

President Asperger noted that this matter was placed back on the agenda so that the revised Renovation Agreement can be presented to the Village Board and the public and to afford Board members the opportunity to ask questions about the revisions. President Asperger added that no Village Board action was required because of Board direction provided back in November, in anticipation of such changes.

President Asperger also announced that approval of an Intercreditor and Subordination Agreement, purchase of the façade easement, and approval of the use of TIF funds for the renovation project, would be considered at the Board's next meeting.

Trustee Livingston inquired about a timeline and President Asperger responded.

Trustee Horvath expressed his belief that this is not a good investment for the use of public funds and President Asperger reminded him of the majority vote in favor of participation in this project.

Trustee Langan briefly reiterated the direction previously given to staff regarding this item.

Trustee Horvath believes there was a change in the terms and continues to have issues with the revised agreement.

Village Attorney Mark Burkland noted the revised Renovation Agreement offers a better degree of security to the Village's investment in the theater.

Trustee Palermo indicated his belief that mistakes have been made in the process.

Trustee Kuchler noted his comfort with the revised agreement which offers more security than what was previously afforded.

Trustee Wolf asked for clarification on the use of the term “loan” in these discussions to describe the transaction. Village Attorney Mark Burkland explained that the Village was entering into a contractual obligation to spend funds on the renovation project. This Village’s contribution was not an obligation (loan) under the TIF Act because there is no expectation for repayment, unlike a traditional loan which for example has a regular repayment schedule of principal and interest. Village Attorney Mark Burkland said a more accurate description was a grant with subsequent conditions.

At 8:30 p.m. President Asperger stated her appreciation for the Board’s discussion. Village Attorney Mark Burkland added that final documents for the renovation agreement should be completed by the end of this week. Action items parallel to the execution of the renovation agreement should be completed soon.

6. MANAGER’S REPORT

Village Manager Robert Pilipiszyn expressed his appreciation to the Department of Public Works for their dedication and hard work in repairing several recent water main breaks.

Mr. Pilipiszyn reminded the audience that Village offices would be closed on Monday, February 16 in observance of President’s Day, however a full complement of public safety personnel will be on duty and Public Works will be on-call in the event of an emergency.

Lastly, Mr. Pilipiszyn introduced consultants Marc Rohde of Legat Architects; Mark Underwood of Hitchcock Design Group; and Patrick Davis, Senior Estimator of Mortenson who will give a presentation relating to the Stone Avenue Train Station Renovation Project.. Mr. Pilipiszyn noted that this item would be discussed in advance of the Capital Projects Workshop in order to bring awareness and to seek direction from the Village Board.

Mr. Rohde provided hard copies of the presentation to the Village Board. Mr. Rohde described the history of the Stone Avenue train station and noted the vast amount of items needed to renovate the structure. Mr. Underwood spoke on options for improvements to both interior and exterior design and Mr. Davis noted cost estimates.

After presenting three conceptual options to improve the existing facility, a final consensus option for improvements and renovation of the Stone Avenue train station was presented.

President Asperger opened the floor to the Village Board for discussions and questions regarding the presentation.

Discussion ensued. The Board generally looked with favor on the proposed scope of renovation and improvements if grant or other funding opportunities became available. Absent such additional funding, staff was directed to pursue a design with a greater orientation towards commuters, and less emphasis on creating public spaces.

7. PUBLIC COMMENTS NOT ON AGENDA

None

8. EXECUTIVE SESSION

9. TRUSTEE COMMENTS

None

10. ADJOURNMENT

At 9:43 p.m. it moved by Trustee Langan, seconded by Trustee Horvath to adjourn. Approved by unanimous voice vote.

Approved: 02/23/09