

MINUTES

VILLAGE OF LA GRANGE

PUBLIC HEARING AND BOARD OF TRUSTEES REGULAR MEETING

Village Hall Auditorium
53 South La Grange Road
La Grange, IL 60525

Monday, April 13, 2015 - 7:30 p.m.

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

The Board of Trustees of the Village of La Grange public hearing and regular meeting was called to order at 7:30 p.m. by President Livingston. On roll call, as read by Village Clerk John Burns, the following were:

PRESENT: Trustees Holder, Kuchler (arrived 7:35pm), Langan, McCarty, Nowak, and Palermo with President Livingston presiding.

ABSENT: None

OTHERS: Village Manager Robert Pilipiszyn
Assistant Village Manager Andrianna Peterson
Village Attorney Mark Burkland
Assistant Community Development Director Angela Mesaros
Finance Director Lou Cipparrone
Public Works Director Ryan Gillingham
Acting Police Chief Renee Strasser
Fire Chief Don Gay

President Livingston requested Village Clerk lead the audience in reciting the pledge of allegiance.

2. PUBLIC HEARING – FY 2015-16 Operating and Capital Improvements Budget: Referred to President Livingston

President Livingston requested Clerk Burns to present this report. Clerk Burns explained the budget development process and indicated that notice of this Public Hearing had been posted and published according to State Statute and that copies of the proposed budget document have been available for inspection at the Village Hall, the La Grange Public Library as well as posted on the Village website. Clerk Burns noted the public hearing represents the conclusion of the process by which public input has been solicited throughout the development of the budget document.

At 7:35 p.m. with no additional oral or written comments President Livingston closed the public hearing. The regular Village Board meeting was convened, with the same Village Officials as the Public Hearing being in attendance.

3. PRESIDENT'S REPORT

A. Oath of Office – Police Sergeant Steve Ljubenko

With the recent restructuring of personnel in the Police Department, the La Grange Board of Fire and Police Commissioners have promoted Squad Leader Steve Ljubenko to Police Sergeant on March 22, 2015. Noting his education and experience, President Livingston requested he step forward and Village Clerk Burns to administer the oath.

B. Proclamation – Arbor Day in La Grange, Friday, April 24, 2015

President Livingston requested Clerk Burns read the Proclamation celebrating Arbor Day in La Grange on April 24, 2015. Clerk Burns responded and noted the celebration will include the planting of a tree at Seventh Avenue School. Trustee Langan moved to approve the Proclamation, seconded by Trustees Holder. Approved by voice vote.

President Livingston noted the April 27, 2015 Village Board meeting will include discussion of the Beds Plus proposal. The May 11, 2015 Village Board meeting will include special recognition to the volunteers on the various boards and commissions as well as honoring outgoing Trustees and welcoming incoming Trustees. President Livingston noted the meeting on May 25, 2015 will be canceled in observance of the Memorial Day holiday and thereafter the next meeting will be June 8, 2015.

4. PUBLIC COMMENTS REGARDING AGENDA ITEMS

None

5. OMNIBUS AGENDA AND VOTE

- A. Ordinance (#O-15-08) – Creating a Class B Liquor License, Shakti Chicago Corporation d/b/a 7-Eleven, 6 East 47th Street
- B. Ordinance (#O-15-09) – Amending Various Sections of the La Grange Code of Ordinances Related to the Sales and Service of Alcoholic Liquor
- C. Resolution (#R-15-03) – Ratification of Collective Bargaining Agreement Between the Village of La Grange and the International Association of Firefighters
- D. Resolution (#R-15-04) – Budget Amendments – Fiscal Year Ending April 30, 2015
- E. Engineering Services Agreement – Inspection of Opus Redevelopment at Northeast Corner of Ogden Avenue and La Grange Road
- F. Professional Services Agreement – Municipal Engineering Services
- G. Award of Contract – 2015 50/50 Sidewalk Replacement Program
- H. Resolution (#R-15-05) – Request to Close La Grange Road / Pet Parade

- I. Ordinance (#O-15-10) – Disposal of Surplus Property / Miscellaneous Personal Property
- J. Consolidated Voucher 150413 (\$1,332,029.75)
- K. Minutes of the Village of La Grange Board of Trustees Special Meeting, Saturday, March 14, 2015 – Budget Workshop
- L. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, March 23, 2015

It was moved by Trustee Langan to approve items A, B, C, D, E, F, G, H, I, J, K and L of the Omnibus Agenda, seconded by Trustee Holder.

Trustee Palermo inquired about timeline for the sidewalk replacement program and Public Works Director Gillingham responded that there is a waiting period of approximately three years. Adding that cost containment reduced the amounts allocated to the program, Mr. Gillingham advised that although sidewalks are replaced on a first come basis the Village is proactive with sidewalks in dire need of repair.

Approved by roll call vote.

Ayes: Trustees Kuchler, McCarty, Nowak, Palermo, Holder and Langan
Nays: None
Absent: None

6. CURRENT BUSINESS

- A. Ordinance – Variation – Maximum Building Coverage / Kelly & Paul Rogan, 737 S. Madison Avenue: Referred to Trustee McCarty

Trustee McCarty introduced the application for a variation from the maximum allowable building coverage to allow an addition onto a house. A public hearing was conducted by the Zoning Board of Appeals on the application. A motion of the ZBA to recommend approval of the variation failed on a 2-5 vote. Trustee McCarty summarized the reasons state by ZBA commissioners for that vote.

Trustee McCarty explained that if the Board of Trustees concurs with the Zoning Board of Appeals, then a simple motion to deny the variation is in order. If, however, the Board of Trustees decides to grant the variation, then a motion to approve the ordinance prepared by the Village staff is in order.

After discussion, Trustee McCarty moved to accept the Zoning Board of Appeals recommendation and deny the variation, seconded by Trustee Langan.

Trustees Holder and Kuchler expressed their agreement with the Zoning Board of Appeals recommendation. Trustees Palermo and Langan also agreed.

The motion to deny the variation was approved by voice vote.

- B. Special Event – La Grange Business Association “Ahhh! La Grange” Carnival: Referred to Trustee Kuchler

Trustee Kuchler reported that the La Grange Business Association has requested the Board’s permission to conduct the “Ahhh! La Grange Carnival” which would take place Friday, May 29 through Sunday May 31, with the Pet Parade being held on Saturday, May 30. Trustee Kuchler explained the details of the event including a request to sell beer and wine during the operating hours. Trustee Kuchler explained that the sale and service of liquor would be conducted by a licensed caterer and that the La Grange Business Association would monitor and control liquor management.

It was moved by Trustee Kuchler to approve the “Ahhh! La Grange Carnival” subject to specific conditions which include approving the temporary closure of Harris Avenue from La Grange Road to Ashland Avenue; waive restrictions which prohibit the consumption of alcohol on the public way; waive the restrictions for the outdoor display and sale of goods and services in the C-1 Zoning District; and approve carnival rides as a Temporary Use, seconded by Trustee Langan.

Approved by roll call vote.

Ayes: Trustees Palermo, Nowak, Holder, McCarty, Langan and Kuchler
Nays: None
Absent: None

- C. Ordinances (#O-15-11; #O-15-12; #O-15-13; #O-15-14; #O-15-15) – Proposed Increases in Local Non-Home Rule Sales Tax; Utility Tax; Simplified Telecom Tax and Sewer Rate; Repeal Food & Beverage Tax (Funding Plan for Sewer Improvements): Referred to Trustee Nowak

Trustee Nowak detailed the budget development process and itemized the proposed funding plan. Village Attorney Burkland advised that individual motions and votes would be needed for each ordinance.

Trustee Nowak moved to approve an Ordinance Imposing an Increased Non-Home Rule Municipal Retailers’ Occupation Tax and Non-Home Rule Municipal Service Occupation Tax, seconded by Trustee Holder.

Approved by roll call vote.

Ayes: Trustees Kuchler, Langan, Palermo, Holder, McCarty and Nowak
Nays: None
Absent: None

President Livingston expressed thanks to the voters for approval of the referendum on the April 7, 2015 Consolidated Election ballot concerning this increase.

Trustee Nowak moved to approve an Ordinance Amending Subsection 36.36(A) of the La Grange Code of Ordinances related to Municipal Utility Taxes on Gas and Electricity, seconded by Trustee Langan.

Approved by roll call vote.

Ayes: Trustees Palermo, Kuchler, Langan, Holder, McCarty and Nowak
Nays: None
Absent: None

Trustee Nowak moved to approve an Ordinance Amending Subsection 36.17(A) of the La Grange Code of Ordinances related to the Simplified Municipal Telecommunications Tax, seconded by Trustee Holder.

Approved by roll call vote.

Ayes: Trustees McCarty, Palermo, Kuchler, Langan, Holder and Nowak
Nays: None
Absent: None

Trustee Nowak introduced the item discontinuing the restaurant tax and repealing the appropriate chapter of the Code of Ordinances. Trustee Nowak moved to approve an Ordinance Discontinuing the Tax on Places for Eating and Repealing Article 7 of Chapter 36 of the La Grange Code of Ordinances related to that Tax, seconded by Trustee Langan.

Trustee Palermo inquired why the repeal of the food and beverage tax would occur on May 1, 2015, which does not coincide with the increase in the sales tax that commences on July 1, 2015. Finance Director Cipparrone stated that there is no particular reason. Mr. Cipparrone stated that continuing the food and beverage tax for the additional two months would raise additional revenue that could be used of public infrastructure improvements.

After discussion, the Board of Trustees agreed that discontinuing the food and beverage tax is appropriate but that the discontinuation should occur on July 1, 2015. Village Attorney Burkland read the revisions to the ordinance based on that change.

Trustee Nowak revised his motion. He moved to approve the Ordinance as revised and to direct staff that the two months of additional revenue to be used for capital improvements, seconded by Trustee Langan.

The motion carried unanimously on a voice vote.

Ayes: Trustees Palermo, Kuchler, Langan, Holder, McCarty and Nowak
Nays: None
Absent: None

Trustee Nowak moved to approve an Ordinance Amending Section 51.82 of the La Grange Code of Ordinances related to the User Rate Applicable to the Village's Municipal Sewer Service, seconded by Trustee Holder.

Approved by roll call vote.

Ayes: Trustees McCarty, Holder, Langan, Kuchler, Palermo and Nowak
Nays: None
Absent: None

- D. Ordinance (#O-15-16) – Proposed Increase in the Village's Water Rate: Referred to Trustee Nowak

Trustee Nowak provided information related to the establishment and use of the Village's Water Fund and noted that the Village receives Lake Michigan water from the City of Chicago through the Village of McCook. Trustee Nowak explained that in 2011 the City of Chicago announced water rate increases in the amounts of 25%, 15%, 15% and 15% over a four year period beginning January 1, 2012. In order to continue to fund ongoing operations including the rate increases from Chicago, Trustee Nowak proposed a water rate increase in the amount of 7.5% to be utilized for ongoing operations. Trustee Nowak added that water rate increases are evaluated each year.

Trustee Nowak moved to approve an ordinance increasing existing water rates by 7.5% from \$7.62 per one hundred cubic feet to \$8.19 per one hundred cubic feet, effective May 1, 2015, seconded by Trustee Langan.

Trustee Palermo inquired about the water rates initiated by Chicago and Finance Director Cipparrone responded. Trustee Kuchler noted that residents incur these increases.

Approved by roll call vote.

Ayes: Trustees Kuchler, Holder, McCarty, Palermo, Langan and Nowak
Nays: None
Absent: None

- E. Resolution (#R-15-06) – Approving the FY 2015-16 Operating and Capital Improvements Budget: Referred to Trustee Nowak

Trustee Nowak identified the importance of the budget document and explained the budget development process and workshops which included a funding plan to enable the Village to address critical sewer infrastructure needs as well as fund operational priorities to enhance public safety and economic development. In order to budget for additional revenue, Trustee Nowak explained that a referendum question was proposed to voters for an increase in the Village's Non-Home Rule sales tax.

Trustee Nowak explained that a referendum budget was prepared which included the revenues programmed under the prepared maintenance budget along with the increased estimated revenue to be generated by the increase in the local sales tax.

Although the Village has taken steps to reduce operating and personnel expenses and continues to observe conservative financial management practices, it recognizes the need for capital improvements.

Trustee Nowak detailed the grants received by the Village for capital improvements and renovations to enhance the community and noted the Village's financial discipline by adhering to its cost containment plan.

Trustee Nowak added that the draft "referendum" budget document will become the final budget document that will be filed with Cook County.

It was moved by Trustee Nowak to adopt the Resolution approving the Fiscal Year 2015-16 Operating and Capital Improvements Budget, seconded by Trustee Langan.

Trustee Holder expressed thanks to Finance Director Cipparrone and staff for their endeavors in preparing two operating and capital improvement budgets for the Board's consideration.

Trustee Langan noted the challenges in budget preparations and added his thanks to staff.

Trustee Palermo expressed the need to be diligent as future grants may not be available and the need to find new ways to reduce expenses.

Approved by roll call vote.

Ayes: Trustees Kuchler, McCarty, Langan, Nowak, Palermo and Holder
Nays: None
Absent: None

- F. Ordinance (#O-15-17) – Authorizing the Issuance of General Obligation Bonds (Alternate Revenue Source) in an Aggregate Principal Amount Not to Exceed \$14,500,000 for the Purpose of Paying the Costs of Making Certain Improvements to the Village's Sewer System (Said Bonds Being General Obligation Bonds For Which Real Property Taxes, Unlimited As To Rate Or Amount, May Be Levied, But Which Are Expected To Be Paid From Sales Taxes And Utility Taxes On Electricity, Gas And Telecommunications): Referred to Trustee Nowak

Trustee Nowak provided background information relevant to the funding plan which would enable the Village to address critical sewer improvements, capital projects and operational priorities through the issuance of general obligation bonds, (alternate revenue source). Trustee Nowak indicated that in order to proceed with the issuance of the proposed bonds, Kane, McKenna Capital, Inc. was recently approved as financial consultants and Chapman and Cutler LLP as bond counsel.

Trustee Nowak added that with the appropriate number of signed petitions to satisfy legal requirements, State Statutes enable a modified-form of public referendum (backdoor referendum) to be pursued by taxpayers and be placed on the next general election ballot in March, 2016 for voter approval.

In order to meet legal requirements, the next step in the process is to adopt an ordinance authorizing the issuance of general obligation alternate revenue bonds and the publication of the ordinance along with the notice of intent to issue the bonds. Trustee Nowak detailed the steps required and referenced a timeline which details key dates pertaining to the bond issue. Trustee Nowak noted that approval of the authorizing ordinance together with the notice of intent to issue bonds and right to file a petition will be published in the April 22, 2015 issue of the Suburban Life newspaper and such publication begins the 30-day petition period for the backdoor referendum.

Trustee Nowak moved to approve an ordinance authorizing the issuance of General Obligation Alternate Revenue Bonds to fund sewer improvements, seconded by Trustee Langan.

Trustee Palermo feels the referendum should be placed on the next general election and not the March 2016 primary election. Village Attorney Burkland indicated the date of the election does not impact the ordinance under consideration.

Approved by roll call vote.

Ayes: Trustees Kuchler, McCarty, Holder, Palermo, Langan, and Nowak
Nays: None
Absent: None

- G. Resolution – (#R-15-07) Expressing Official Intent Regarding Certain Capital Expenditures to be Reimbursed from Proceeds of an Obligation to be Issued: Referred to Trustee Nowak

Trustee Nowak indicated the most cost-effective funding source for sewer improvements, is the issuance of a general obligation alternate revenue bond. Detailing the process by which taxpayers may pursue a public referendum through the filing of petitions with the Village Clerk, Trustee Nowak indicated applicable dates. Trustee Nowak indicated the need to adopt a resolution which allows the Village to be reimbursed for sewer expenditures and expenditures incurred prior to the sale of the bonds.

Trustee Nowak moved to approve the adoption of a resolution authorizing reimbursement for certain capital expenditures from the proceeds of a subsequent bond issue, second by Trustee Langan.

Approved by roll call vote.

Ayes: Trustees Palermo, McCarty, Holder, Kuchler, Langan, and Nowak
Nays: None

Absent: None

President Livingston expressed his gratitude to the Board and staff working in partnership for the citizens of La Grange.

7. MANAGER'S REPORT

President Livingston inquired if there were a Manager's report and Village Manager Pilipiszyn responded negatively.

8. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

Kim Mosley feels the Beds Plus project is discriminatory and is opposed to the proposed facility. President Livingston duly noted her concerns.

9. EXECUTIVE SESSION

10. TRUSTEE COMMENTS

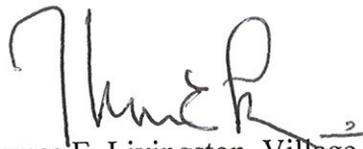
Trustee Palermo expressed thanks to President Livingston for providing and posting the opportunity for citizens to volunteer to serve on various boards and commissions.

Trustee McCarty strongly recommends serving on the Plan Commission.

Trustee Kuchler expressed his appreciation for everyone who voted and recognized a softball league senior at Lyons Township High School.

11. ADJOURNMENT

At 8:53 p.m. it was moved by Trustee Langan to adjourn, seconded by Trustee McCarty. Approved by voice vote.



Thomas E. Livingston, Village President

ATTEST:



John Burns, Village Clerk

Approved Date: April 27, 2015