

VILLAGE OF LA GRANGE
BOARD OF TRUSTEES REGULAR MEETING

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

AGENDA

Monday, July 26, 2010 – 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

*President Elizabeth Asperger
Trustee Bill Holder
Trustee Mike Horvath
Trustee Mark Kuchler
Trustee Mark Langan
Trustee Tom Livingston
Trustee James Palermo*

2. PRESIDENT'S REPORT

This is an opportunity for the Village President to report on matters of interest or concern to the Village.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

This is the opportunity for members of the audience to speak about matters that are included on this Agenda.

4. OMNIBUS AGENDA AND VOTE

Matters on the Omnibus Agenda will be considered by a single motion and vote because they already have been considered fully by the Board at a previous meeting or have been determined to be of a routine nature. Any member of the Board of Trustees may request that an item be moved from the Omnibus Agenda to Current Business for separate consideration.

- A. [Special Event – Park District of La Grange / Public Display of Fireworks at Community Family Fest](#)
- B. [Resolution – Ratification of Collective Bargaining Agreement Between the Village of La Grange and International Union of Operating Engineers, Local 150 \(Public Works General Utility Workers and Crew Leaders\)](#)
- C. [Engineering Services Agreement – Preliminary Engineering Studies for the Maple Avenue Relief Sewer and Ogden Avenue Relief Sewer Projects](#)
- D. [Resolution – Access to Cook County Geographic Information System Data Access Agreement](#)

- E. [Ordinance – Amendments to the Village Code Governing Abandoned Vehicles](#)
- F. [Budget Amendments — Grant Funds](#)
- G. [Minutes of the Village of La Grange Board of Trustees Regular Meeting Monday, June 14, 2010](#)
- H. [Consolidated Voucher 100628](#)
- I. [Consolidated Voucher 100712](#)
- J. [Consolidated Voucher 100726](#)

5. CURRENT BUSINESS

This agenda item includes consideration of matters being presented to the Board of Trustees for action.

- A. [Special Event — La Grange Business Association “West End Art Festival” and “An Evening of Art & Jazz”: Referred to Trustee Langan](#)
- B. [Resolution – Authorizing a Case Study Evaluation of Police Department and Fire Department Service Delivery, and Cooperative Opportunities with the Metropolitan Mayors Caucus between the Villages of La Grange, La Grange Park and Western Springs, Illinois: Referred to President Asperger](#)

6. MANAGER’S REPORT

This is an opportunity for the Village Manager to report on behalf of the Village Staff about matters of interest to the Village.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

This is an opportunity for members of the audience to speak about Village related matters that are not listed on this Agenda.

8. EXECUTIVE SESSION

The Board of Trustees may decide, by a roll call vote, to convene in executive session if there are matters to discuss confidentially, in accordance with the Open Meetings Act.

- A. [Closed Session – Pending Litigation](#)

9. TRUSTEE COMMENTS

The Board of Trustees may wish to comment on any matters.

10. ADJOURNMENT

The Village of La Grange is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions, regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (708) 579-2315 promptly to allow the Village to make reasonable accommodations for those persons.

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Patrick Benjamin, Community Development Director

DATE: July 26, 2010

RE: **SPECIAL EVENT - PARK DISTRICT OF LA GRANGE/PUBLIC
DISPLAY OF FIREWORKS AT COMMUNITY FAMILY FEST**

Last year the Park District of La Grange, celebrating its 80th anniversary of service to the citizens of La Grange, conducted their Community Family Fest at Gordon Park. This was a very successful event that included, for the first time, fireworks. After due consideration by Village Staff and Board, the event was approved.

The Park District of La Grange is again requesting to hold their Community Family Fest on Friday, July 30th, with games, pony rides, food, drinks, entertainment and fireworks. Towards that end you will find a letter from Park District Director Dean Bissias dated May 14, 2010 indicating their intent to hold their 9th annual Community Family Fest on Friday, July 30, 2010 from 5:00 p.m. to 10:00 p.m. A separate letter is attached requesting approval for the sale of alcohol.

The Village's authority to regulate fireworks displays found in Section 94.25 of the Village Code is as follows:

“Discharge of Fireworks Prohibited; Exception - The discharge, firing or use of all fireworks is hereby prohibited. However, the President and Board of Trustees may order the public display of fireworks by properly qualified people under the direct supervision of experts in the handling of fireworks. Such display shall be such a character and so located, discharged or fired as in the opinion of the Fire Chief and Chief of Police, shall not be hazardous to surrounding property or endanger any person.”

Accordingly, the Fire Chief and Police Chief have reviewed the request for fireworks and have submitted the following comments:

- Wind direction and speed to be monitored by the Fire Department and the state licensed fireworks display vendor;
- The maximum size of the fireworks mortar shell shall be 3”;

- The designated discharge/display area must be secured from the spectator viewing area with adequate barrier fencing;
- NFPA 1123, governing fireworks displays, shall apply;
- The Fire Chief will coordinate with Park District representatives on location and presence of adequate Fire personnel during the fireworks portion of the evening;
- A temporary barrier is required to surround the fireworks fallout area;
- Police Officers will assist in controlling vehicles and pedestrians arriving and leaving the event. Staffing levels will be coordinated with Park District officials.

Last years event in Gordon Park was very well received by the community and well attended.

To accommodate the Park District's request for a public display of fireworks, we can recommend approval with the following conditions:

- That Park District representatives and Mad Bomber Fireworks Productions, an Illinois State Licensed Fireworks Display Vendor, work cooperatively with Village staff to provide for adequate site security measures, pedestrian access and vehicular circulation to and from the event;
- That all overtime costs incurred by the Village of La Grange be reimbursed by the Park District of La Grange;
- The professional fireworks operator and the Park District of La Grange are to provide proof of appropriate liability insurance and name the Village of La Grange as additional insured for this event;
- A Hold Harmless is to be signed by the fireworks display vendor and the Park District of La Grange;
- The fireworks display vendor shall comply with all local, state and federal requirements regarding fireworks displays;
- Adjacent property owners should be notified of the event in writing.

With respect to alcohol, Park District has requested Village authorization to sell beer and wine at the event between the hours of 5:00 p.m. and 8:30 p.m. in a roped off beer garten so as to contain all drinking to one area and to ensure persons drinking are of the legal age. No alcohol will be allowed outside this area and it is their intention to utilize the wristband method. The Village Liquor

Commissioner has separately considered and approved a temporary liquor license for the time period of 5:00 p.m. to 8:30 p.m. pursuant to the restrictions as outlined in the letter dated May 14, 2010 from Dean Bissias, Executive Director.

Park District representatives will be in attendance at the meeting to answer any questions you may have regarding the request for a public display of fireworks.

VILLAGE OF LA GRANGE
Administrative Offices

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Andrianna Peterson, Assistant Village Manager
Ryan Gillingham, Director of Public Works

DATE: July 26, 2010

RE: **RESOLUTION – RATIFICATION OF COLLECTIVE BARGAINING
AGREEMENT BETWEEN THE VILLAGE OF LA GRANGE AND
INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 150
(PUBLIC WORKS GENERAL UTILITY WORKERS AND CREW
LEADERS)**

The International Union of Operating Engineers (IUOE), Local 150 represents 14 General Utility Workers and 6 Crew Leaders within the Village's Public Works Department. This is the first collective bargaining agreement between the Village of La Grange and the IUOE, Local 150.

We are pleased to present to the Village Board a three-year collective bargaining agreement between the IUOE, Local 150 and the Village of La Grange. This contract represents a negotiated settlement between the parties, which is significant because non-public safety bargaining units have the right to both strike and pursue interest arbitration for their first contract. Attached for your consideration is a complete copy of the agreement.

Throughout the collective bargaining process, staff has provided the Village Board with periodic updates as to the status of contract negotiations. The following is a summary of key economic and non-economic items negotiated in the attached contract.

1. **WAGES**

Base salaries for members of the bargaining unit will be increased as follows:

- A. Effective May 1, 2010 – 0.1% general wage adjustment
- Effective May 1, 2011 – 2.75% general wage adjustment
- Effective May 1, 2012 – 2.5% general wage adjustment

B. This first-ever contract introduces a step system for employees to progress

through the salary range to reach maximum salary.

- C. Employees who have reached maximum salary will be eligible to receive a 2.5% bonus on November 1 of each year.

The amount of these general salary increases are generally consistent with current pay practices affecting non-Union employees (e.g. - general wage adjustment equivalent to projected CPI and budget average, step increases equivalent to a merit increase, non-Union employees at max salary receive their merit increase as a bonus, etc.) and with negotiated increases for comparable jurisdictions. Therefore, the budget impact related to these salary increases is negligible.

2. TWELVE HOUR SHIFT WAGE DIFFERENTIAL – WINTER STORM

In recognition that 12 hour non-day winter storm shifts are unplanned, unscheduled and can last several days in duration, employees will be paid an additional ten percent (10%) at their applicable hourly rate (straight time or overtime) for hours actually worked on a 12 hour shift for snow and ice activities between the night-time hours of 11 p.m. and 7 a.m.

3. NORMAL WORK DAY

Normal Work Day for most full-time employees will be 8 hours from 7 a.m. to 3:30 p.m. Monday through Friday (half hour lunch) year around instead of just between Memorial Day and Labor Day (summer schedule).

4. MISCELLANEOUS

- A. The contract includes detailed language governing call back / overtime distribution procedures; layoff procedures and retains the management right to temporarily change work schedules / subcontract as needed.
- B. Other provisions either mirror our Personnel Manual language or memorialize status-quo Departmental policies
- C. Union employees cannot strike (similar to Police and Fire personnel)

The tentative agreement was ratified by the Union on June 28, 2010. The agreement becomes effective upon ratification by the Village Board. The necessary resolution for approval of the Public Works Union contract is attached for your consideration.

We recommend that the resolution be adopted and that the collective bargaining agreement be approved.

RESOLUTION NO. R-10-_____

**Approval of Public Works Union
Collective Bargaining Agreement
(May 1, 2010 – April 30, 2013)**

WHEREAS, the Village of La Grange negotiating team has met with representatives of the International Union of Operating Engineers (IUOE), Local 150 to negotiate a new collective bargaining agreement;

WHEREAS, the Village of La Grange negotiating team and representatives of IUOE Local 150 have mutually resolved all of the issues subject to said contract negotiations and agreed to sign a collective bargaining agreement governing those issues for the period beginning May 1, 2010 and ending April 30, 2013;

NOW, THEREFORE, BE IT RESOLVED by the Village of La Grange, County of Cook, State of Illinois, that the Village Board authorizes the Village President and Village Manager to sign the Agreement.

ADOPTED by the Village Board of Trustees of the VILLAGE OF LA GRANGE, Illinois the _____ day of _____, 2010, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this _____ day of _____, 2010.

Elizabeth M. Asperger, Village President

ATTEST:

Robert Milne, Village Clerk

VILLAGE OF LA GRANGE
Department of Public Works

BOARD REPORT

TO: Village President, Village Clerk, Board of Trustees, and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Ryan Gillingham, Director of Public Works

DATE: July 26, 2010

RE: **ENGINEERING SERVICES AGREEMENT – PRELIMINARY
ENGINEERING STUDIES FOR THE MAPLE AVENUE RELIEF SEWER
AND OGDEN AVENUE RELIEF SEWER PROJECTS**

The Village operates a combined sewer system where storm water and sanitary sewage are combined into a single sewer pipe. Due to its limited capacity during heavy rain events, the combined sewer system periodically reaches capacity and causes flooding in basements and streets. In order to increase the capacity of the Village's sewer system and reduce the risk of flooding, several relief sewer projects have been identified and are included in the Village's long term capital improvement program.

The first project identified is the Maple Avenue Relief Sewer (MARS) project. The MARS project involves the construction of a relief sewer along Maple Avenue from Bluff Avenue to Peck Avenue. The drainage area that will benefit from the construction of this sewer is roughly from 47th Street to the BNSF railroad and from Bluff Avenue to Gilbert Avenue. The sewer pipe is estimated to range from 60 inches in diameter at Bluff Avenue to 24 inches at Peck Avenue. The relief sewer will intercept drainage from the existing combination sewers crossed in construction, providing relief for the existing Cossitt Avenue sewer. The wet weather flows from MARS would flow directly into the regional deep tunnel system operated by the Metropolitan Water Reclamation District of Greater Chicago (MWRD.) The first stage of MARS has been completed as part of the Bluff Avenue Reconstruction Project.

The FY 2010-11 capital improvement budget includes funding to complete a preliminary engineering study in the amount of \$15,000 for MARS, which consists of performing a detailed hydraulic analysis, developing a preliminary layout, and creating more detailed construction cost estimates for the project. Once the more detailed construction cost estimates are known for future segments of the project, we will be able to schedule the remaining portions of the MARS project based upon immediate needs, coordinate with other infrastructure improvements and identify funding, including grants, alternate revenue sources and debt financing.

The second project identified to reduce the risk of flooding is the Ogden Avenue Relief Sewer (OARS) project. The plan for the OARS project is to construct a new relief sewer along Ogden Avenue from a third deep tunnel drop shaft near the Tilden Avenue water storage tank to

Kensington Avenue. The drainage area that will benefit from the construction of this sewer is roughly from the BNSF railroad to the northern limits of the Village and from Gordon Park to Kensington Avenue. As currently planned, OARS would replace the existing sewer in Ogden Avenue and redirect dry weather sanitary flow to the Shawmut Avenue outlet, while directing wet weather storm flow to the deep tunnel. A segment of the relief sewer will also collect drainage from the Ogden Avenue BNSF Railroad underpass and direct the storm flow to the deep tunnel. The OARS project is within the state right-of-way and thus requires cooperation from the Illinois Department of Transportation.

Similar to the MARS project, the FY2010-11 capital improvement program includes funding to complete a preliminary engineering study in the amount of \$15,000, which consists of performing a detailed hydraulic analysis, developing a preliminary layout, and creating more detailed construction cost estimates for the project. Again, the preliminary engineering study will allow the Village to schedule future segments of the OARS project based upon immediate needs, coordinate with other infrastructure improvements and identify funding opportunities. Preliminary engineering for the first segment of OARS, from Gordon Park to La Grange Road, was performed but not completed as a result of engineering reviews associated with the YMCA Redevelopment Project.

We requested proposals from Heuer and Associates to complete both the MARS and OARS preliminary engineering studies based on their familiarity with these projects and experience in this area of work. Heuer & Associates provided separate proposals for each project in the amount of \$13,873.20, which is under the budget amount of \$15,000. These task orders are attached for your review.

We recommend approval of the two task orders with Heuer & Associates in the total amount of \$27,746.40 for the development of preliminary engineering plans and reports for the Maple Avenue Relief Sewer and Ogden Avenue Relief Sewer projects. These reports are planned to be completed in September, 2010 so that the information contained in the reports can then be used in developing future capital improvement programs.

VILLAGE OF LA GRANGE
Police Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Michael A. Holub, Chief of Police

DATE: July 26, 2010

RE: **RESOLUTION – ACCESS TO COOK COUNTY GEOGRAPHIC
INFORMATION SYSTEM DATA ACCESS AGREEMENT**

The Village of LaGrange Emergency 9-1-1 Telephone Answering System in the Dispatch Center is in the process of being updated with new equipment. The new Positron equipment provides a mapping software system that identifies the location on a map of where a caller, whether hard line or wireless is coming from.

Prior to installing the software system the village has to procure data from the Cook County Geographic Information System (GIS). GIS is a system that captures, stores, analyzes, and presents data that are linked to a location. It allows us to view, understand, question, interpret and visualize data in many ways that reveal relationships, patterns, and trends in the form of maps, globes, reports and charts. The GIS data from Cook County will help us to create our own GIS.

Portions of the GIS and related data are copyrighted materials of the Cook County Assessor's Office (CCAO). In the spirit of cooperation, the Cook County Assessor's Office has agreed to make GIS available, efficiently and without charge, through an intergovernmental agreement. The Village has entered into an intergovernmental agreement with the Cook County Assessor's Office in order to receive access to their data that is updated annually. This agreement is for one (1) year and will be extended annually for terms of one year, unless, at least thirty (30) days prior to the expiration, either party notifies the other in writing of its intent not to renew the agreement.

Village Board action in the form of a resolution is required for access to the Cook County Assessor's Office Geographic Information System.

We recommend that the resolution be approved.

VILLAGE OF LAGRANGE

RESOLUTION NO. _____

A RESOLUTION FOR ACCESS TO GEOGRAPHIC INFORMATION SYSTEM

WHEREAS, The Village of LaGrange is an Illinois municipal corporation operating in accordance with the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq.; and

WHEREAS, the Cook County Assessor's Office has a geographic information system ("GIS") database that it is willing to make available to the Village at no cost; and

WHEREAS, GIS data sharing with the Cook County Assessor's Office will allow the Village to access GIS data from the Assessor that will facilitate the Village's decision making process and provide needed information; and

WHEREAS, cooperation between and among governmental agencies and entities through intergovernmental agreements is authorized and encouraged by Article VII, Section 10 of the Illinois Constitution of 1970 and by the "Intergovernmental Cooperation Act" (5 ILCS 220/1 et seq.); and

WHEREAS, the Village and the Cook County Assessor have negotiated an Intergovernmental Agreement in substantially the form attached to this Resolution as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Village of LaGrange as follows:

SECTION 1. Approval of Intergovernmental Agreement.

The Village President and Board of Trustees and the General Counsel are authorized to finalize an Intergovernmental Agreement between the Village of LaGrange and the Cook County Assessor's Office in substantially the form of the agreement attached to this Resolution as EXHIBIT A, and the Village President and Board of Trustees are authorized to execute said Intergovernmental Agreement.

SECTION 2. Effective Date. This Resolution will be in full force and effect on its passage and approval in the manner provided by law.

PASSED this _____ day of _____ 2010.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this _____ day of _____ 2010.

Elizabeth M. Asperger, Village President

ATTEST:

Robert Milne, Village Clerk

VILLAGE OF LA GRANGE
Police Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Michael A. Holub, Chief of Police

DATE: July 26, 2010

RE: **ORDINANCE – AMENDMENTS TO THE VILLAGE CODE
GOVERNING ABANDONED VEHICLES**

From time to time, the Village is required to address abandoned vehicles. The Police Department contacts the property and/or vehicle owners of these vehicles in an attempt to have them removed. Often times the property owner is not the owner of the vehicle and does not have the resources to remove it or there is little or no cooperation from the property owner or vehicle owner. At other times a vehicle may be abandoned on a public street, alley or right of way.

In applying the current village ordinance prohibiting abandoned vehicles we have found that our ordinance is at times vague as to the disposal of abandoned vehicles and is in conflict with the requirements of the State of Illinois Statutes. We have also found that the fee structure is outdated and the requirement of a trial by our circuit court is no longer a viable option as these type of ordinance violations are disposed of by virtue of an administrative hearing process.

In an effort to revise the ordinance to make it more practical to work with and to eliminate the conflict with state statutes we consulted with Village Attorney Mark Burkland. After some discussion with Mr. Burkland and his associate Paula Kirlin, recommendations were made to change Chapter 72 and Chapter 90 that will provide our Police Department with more contemporary standards to address the problem of abandoned vehicles.

Guided by the recommendations, several changes are recommended:

- The creation of Chapter 72, Section 72.01 (F) which prohibits the allowance of storing, keeping or leaving certain vehicles on private property or village property.
- The creation of Chapter 72, Section 72.01 (G) which prohibits the parking or storing of any vehicle on a public way for more than 48 hours. It also provides the authority for the village to remove such vehicles.
-
- The repeal of Chapter 90, Sections 90.01 (Definitions), 90.02 (Abandoned Within Village And On Village Property), and 90.03 (Standing of Vehicles In Excess Of 48

Hours) as they exist.

- Creation of Section 90.01 will be replaced with more clearly defined definitions.
- Creation of Section 90.02 will be renamed as “PROHIBITION AGAINST ABANDONED, HAZARDOUS, AND UNLAWFUL VEHICLES; FINES” and will include more specific prohibitions and fine reference.
- Creation of Section 90.03 will be renamed “INSPECTION AND TOWING” and will provide the village with the authority to inspect and remove abandoned vehicles.
- Creation of Chapter 90, Sections 90.04 through 90.11 which address the administrative procedures for removing and disposing of abandoned vehicles.

Village Board action in the form of an ordinance is required for the re-appointment of all of the proposed changes.

We recommend that the ordinance be approved.

VILLAGE OF LA GRANGE

ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS SCHEDULES
OF CHAPTER 72 OF THE LA GRANGE CODE OF ORDINANCES
REGARDING CERTAIN PARKING REGULATIONS

WHEREAS, the President and Board of Trustees of the Village of La Grange have determined that it is appropriate and useful to amend the traffic and parking regulations in the manner provided in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, Cook County and State of Illinois, as follows:

Section 1. Recital. The foregoing recital is incorporated into this Ordinance as a finding of the President and Board of Trustees.

Section 2. Creation of Section 72.01 (F), General Parking Regulations. Section 72.01 of Chapter 72, titled "General Parking Regulations" of the La Grange Code of Ordinances is hereby amended by adding thereto a new Section 72.01 (F), which new Section 72.01(F) shall hereafter be read as follows:

F) No person may place or leave any partially dismantled, non-operating wrecked, junked, or discarded vehicle on any private property in the village.

- (1) No person in charge or control of any private property within the Village, whether as owner, tenant, occupant, lessee, or otherwise, may allow any partially dismantled, non-operating, wrecked, junked, or discarded vehicle to remain on that private property.
- (2) No person may allow any partially dismantled, non-operating, wrecked, junked, or discarded vehicle to remain on Village property for longer than 48 hours.
- (3) Any vehicle kept or maintained in violation of this Subsection F is a public nuisance.
- (4) Vehicles in violation of this Subsection F may be subject to towing under Section 90.03.
- (5) This Subsection F does not apply to:

(a) A vehicle located in an enclosed building or

(b) A vehicle located on the premises of a business enterprise operated in a lawful place and manner, when necessary to the lawful operation of the business enterprise.

Section 3. Creation of Section 72.01 (G), General Parking Regulations.
Section (G) of Chapter 72, titled "General Parking Regulations" of the La Grange Code of Ordinances is hereby amended by adding thereto a new Section 72.01 (G), which new Section 72.01(G) shall hereafter be read as follows:

(G) No person may park or store any vehicle on a public street, public alley, or other public right-of-way for more than 48 successive hours. Vehicles in violation of this Subsection G may be subject to towing under section 90.03.

Section 5. Effective Date. This Ordinance will be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 2010.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____ 2010.

Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

VILLAGE OF LA GRANGE

ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS SCHEDULES
OF CHAPTER 90 OF THE LA GRANGE CODE OF ORDINANCES
REGARDING ABANDONE VEHICLES

WHEREAS, the President and Board of Trustees of the Village of La Grange have determined that it is appropriate and useful to amend the traffic and parking regulations in the manner provided in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, Cook County and State of Illinois, as follows:

Section 1. Recital. The foregoing recital is incorporated into this Ordinance as a finding of the President and Board of Trustees.

Section 2. Repeal of Section 90.01, 90.02, and 90.03. Section 90.01 of Chapter 90, titled “Definitions”, “Abandoned Within Village And On Village Property”, and “Standing Of Vehicle In Excess Of 48 Hours Prohibited” of the LaGrange Code of Ordinances is hereby amended and repealed.

Section 3. Addition of Section 90.01.Section (90.01) of Chapter 90 titled “Definitions” of the La Grange Code of Ordinances is hereby amended and shall hereafter be read as follows:

DEFINITIONS.

For the purpose of this Chapter, the following definitions apply unless the context clearly indicates or requires a different meaning.

CHIEF OF POLICE. The Chief of Police of the Village or the Chief of Police’s authorized representative.

PROPERTY. Any real property within the Village or any Village property within or outside the corporate limits of the Village that is not a street.

STREET. The entire width between the boundary lines of every publicly maintained right-of-way or other way, when any part of the right-of-way or other way is open to the public for use by vehicular traffic.

VEHICLE. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway or requiring a certificate of title under Section 3-101(d) of the Illinois Vehicle Code, except devices moved by human power, devices used exclusively upon stationary rails or tracks, and snowmobiles as defined in the Snowmobile Registration and Safety Act.

Section 4. Addition of Section 90.02, Prohibition Against Abandoned, Hazardous, And Unlawful Vehicles; Fines. Section 90.02 of Chapter 90, titled “Prohibition Against Abandoned, Hazardous, And Unlawful Vehicles; Fines” of the La Grange Code of Ordinances is hereby renamed and amended and shall hereafter be read as follows:

PROHIBITION AGAINST ABANDONED, HAZARDOUS, AND UNLAWFUL VEHICLES; FINES.

(A) Abandoned vehicles are prohibited in the Village. Abandoned vehicles include the following:

(1) A vehicle that is partially dismantled, non-operating, wrecked, junked, discarded, or otherwise in a state of disrepair and incapable of being driven and that is located on a street, in a public parking lot, or on private property in view of the general public; or

(2) A vehicle in a public parking lot that has been unmoved for a period of at least seven days or more and appears to have been abandoned by its owner based on (i) its condition, (ii) the period during which it has not been moved, or (iii) other circumstances indicating abandonment; or

(3) A vehicle on private property without the consent of the property owner, proprietor, or agent, which person has requested that the vehicle be towed; or

(4) A vehicle parked for more than 48 hours in violation of Section 72.01(G) of this Code, without authorization of the Chief of Police; or

(5) A vehicle that is subject to being towed by any section of this Code or any other ordinance of the Village.

(B) Hazardous vehicles are prohibited in the Village. Hazardous vehicles include the following:

(1) A vehicle that has been involved in an accident and is disabled or cannot be immediately moved by the owner or operator of the vehicle; or

(2) A vehicle that presents an immediate danger to the health or welfare of members of the public; or

(3) A vehicle on a street, roadway, alley, or off-street parking area that is impeding the orderly flow of traffic or presents a potential danger to pedestrians and operators of other vehicles; or

(4) A vehicle that is parked in such a way as to block access to a fire hydrant.

(C) Unlawful vehicles are prohibited in the Village. Unlawful vehicles include the following:

(1) A vehicle that has been reported stolen; or

(2) A vehicle parked in violation of any statute or ordinance that authorizes the vehicle to be towed, but only when signs posted at the location in question indicate that vehicles may be subject to towing.

(D) Each day on which a violation of this Section is committed or permitted to continue constitutes a separate offense.

(E) Whoever violates any provision of this Section may be fined as set forth in Section 70.99 of this Code.

Section 5. Addition of Section 90.03, Inspection And Towing. Section 90.03 of Chapter 90 titled "Inspection And Towing" of the La Grange Code of Ordinances is hereby renamed and amended and shall hereafter be read as follows:

INSPECTION AND TOWING.

(A) The Chief of Police may enter onto private property at all reasonable hours for the purposes of (i) inspecting a vehicle that appears to be abandoned, hazardous, or unlawful as set forth in Section 90.02, (ii) posting notice on the vehicle, or (iii) towing and impounding the vehicle in accordance with this Chapter.

(B) Abandoned vehicles may be towed after any required prior notice and opportunity for a hearing as provided in Sections 90.04 and 90.05.

(C) Hazardous and unlawful vehicles may be towed without notice. Within 24 hours after towing a vehicle pursuant to this Subsection, a notice must be sent to the owner of the vehicle affording the opportunity for a hearing as provided in Sections 90.06 and 90.08.

(D) The towing of vehicles by the Village or its approved towing service

operators pursuant to this Section is authorized only by the La Grange Police Department and only under the circumstances herein provided.

(E) Towed vehicles may be impounded only at facilities designated by the La Grange Police Department until lawfully claimed or disposed of pursuant to provisions of this Chapter or the laws of the State of Illinois.

Section 6. Creation of Section 90.04, Pre-Tow Notice For Abandoned Vehicles. Section 90.04 of Chapter 90 titled “Pre-Tow Notice For Abandoned Vehicles” of the La Grange Code of Ordinances is hereby amended by adding thereto a new Section 90.04 which new Section 90.04 shall hereafter be read as follows:

PRE-TOW NOTICE FOR ABANDONED VEHICLES.

(A) No notice or hearing is required prior to the towing of a vehicle for vehicles abandoned on a public street, public alley, or other public right-of-way. For abandoned vehicles on private property, the Village must provide not less than seven days’ written notice prior to towing. The notice must be sent by certified or registered mail, return receipt requested, to the address of the owner of the vehicle as indicated in the most current registration list of the Secretary of State of the State in which that vehicle is registered.

(B) On or before the date of mailing notice in accordance with Paragraph A of this Section, a notice of intent to tow must be affixed to the vehicle, and the notice must contain the following information:

(1) the earliest date on which the tow may take place; and

(2) the address and telephone number of the La Grange Police Department.

Section 7. Creation of Section 90.05, Opportunity For Pre-Tow Hearing. Section 90.05 of Chapter 90 titled “Opportunity For Pre-Tow Hearing” of the La Grange Code of Ordinances is hereby amended by adding thereto a new Section 90.05 which new Section 90.05 shall hereafter be read as follows:

OPPORTUNITY FOR PRE-TOW HEARING.

(A) The owner of a vehicle who has gotten notice under Section 90.04 of a vehicle to be towed as an abandoned vehicle may submit a written request for a pre-tow hearing to the La Grange Police Department. The written request must be submitted within seven days after the date of mailing of notice pursuant to Section

90.04. If the Village does not receive a written request for a pre-tow hearing within seven days after the date of mailing of notice, then the vehicle may be towed and any hearing rights under the provisions of this Section are deemed waived.

(B) If a pre-tow hearing is not requested pursuant to Paragraph A of this Section, then a post-tow hearing may be provided pursuant to Section 90.08.

(C) On receipt of a request for a pre-tow hearing, the Village must promptly set the date for the hearing. The hearing must take place within 15 days after the Village receives the request. The Village must notify the owner of the vehicle of the date and time for the hearing by telephone, by mail, or in person as the circumstances require, not less than 48 hours in advance of the hearing.

(D) A vehicle may not be towed until a final disposition of a pre-tow hearing, except pursuant to the procedures of this Chapter applicable to hazardous or unlawful vehicles.

Section 8. Creation of Section 90.06, Post-Tow Notice For Hazardous and Unlawful Vehicles Entries. Section 90.06 of Chapter 90 titled "Post-Tow Notice For Hazardous and Unlawful Vehicles" of the La Grange Code of Ordinances is hereby amended by adding thereto a new Section 90.06 which new Section 90.06 shall hereafter be read as follows:

POST-TOW NOTICE FOR HAZARDOUS AND UNLAWFUL VEHICLES.

(A) Not more than seven days after towing any hazardous or unlawful vehicle pursuant to Section 90.03C, the Village must forward written notice of the towing by certified or registered mail, return receipt requested, to the address of the owner of the vehicle as indicated in the most current registration list of the Secretary of State of the State in which that vehicle is registered. The notice must notify the owner of the opportunity for a post-tow hearing pursuant to Section 90.08.

(B) All approved towing service operators must advise individuals of the opportunity and procedures for a hearing to contest the validity of any vehicle tow. This requirement may be satisfied posting at least two signs in readily visible locations. The form for those signs must be approved by the Chief of Police.

(C) All approved towing services must post the following information at their vehicle storage sites:

(1) a rate schedule identifying the costs for towing and storage of a vehicle; and

(2) all other information required by the Illinois Vehicle Code or other

applicable State law.

Section 9. Creation of Section 90.07, Procedures For Releasing Towed Vehicles. Section 90.07 of Chapter 90 titled “Procedures For Releasing Towed Vehicles” of the La Grange Code of Ordinances is hereby amended by adding thereto a new Section 90.07 which new Section 90.07 shall hereafter be read as follows:

PROCEDURES FOR RELEASING TOWED VEHICLES.

(A) Before the owner of any towed vehicle is permitted to remove a vehicle from a vehicle pound or authorized garage, the owner must furnish evidence of his or her identity and ownership and right to possession of the vehicle, sign a receipt for the vehicle, and pay an amount as set forth in this Code.

(B) The owner of any towed vehicle must pay the standard towing and storage fees established by the towing service operator and approved by the Village. A schedule of fees must be available for public inspection at the La Grange Police Department and in the office of the Village Clerk at the La Grange Village Hall. The owner must be permitted to take possession of the vehicle within 24 hours after payment. The owner may pay the full amount of fees and request a post-tow hearing pursuant to Section 90.08.

(C) At the time of release of a towed vehicle as provided in this Section, towing service personnel must direct the owner’s attention to the signs posted pursuant to Section 90.06B concerning notices and hearings.

(D) Notwithstanding any provision of this Chapter to the contrary, an owner may remove a towed vehicle without paying any towing or storage fees on presentation of an order for release issued pursuant to Section 90.09D(2)(b).

(E) Notwithstanding any other ordinance or statutory provision to the contrary, any towing service operator authorized to perform tows on behalf of the Village must perform its services in accordance with this Chapter.

Section 10. Creation of Section 90.08, Opportunity For Post-Tow Hearing. Section 90.08 of Chapter 90 titled “Opportunity For Post-Tow Hearing” of the La Grange Code of Ordinances is hereby amended by adding thereto a new Section 90.08 which new Section 90.08 shall hereafter be read as follows:

OPPORTUNITY FOR POST-TOW HEARING.

(A) The owner of a vehicle towed as a hazardous or unlawful vehicle pursuant to Section 90.03C has 15 days after the date of mailing of notice or release of the vehicle, whichever occurs first, to submit a written request to the La Grange Police Department for a post-tow hearing to determine the validity of the tow and any towing or storage charges. If a written request is not received within the 15-day period, then the right to a post-tow hearing under the provisions of this Code is deemed waived.

(B) A post-tow hearing held pursuant to this Section will not be determinative of, or adjudicate, any citation issued relative to any towed vehicle.

(C) When the Village receives a request for a post-tow hearing, the Village must schedule a date and time for that hearing as follows:

(1) On receipt of a request for a post-tow hearing, the Village must promptly set the date for the hearing. The hearing must take place within 15 days after the Village receives the request. The Village must notify the owner of the vehicle of the date and time for the hearing by telephone, by mail, or in person as the circumstances require, not less than 48 hours in advance of the hearing.

(2) In those instances when the vehicle has not been released, the hearing may take place at the option of the owner:

(a) within 24 hours after the request for the hearing, excluding weekends and holidays, except that if the request is made after 3:00 p.m., then a hearing must be held by the second working day after the request. On receipt of the request, the Village must notify the owner of the date and time of the hearing by telephone or in person; or

(b) if acceptable to the owner, within 15 days after the request on a date convenient to all parties. On receipt of the request, the Village must promptly set the date for the hearing. The hearing must take place within 15 days after the Village receives the request. The Village must notify the owner of the date and time for the hearing by telephone, by mail, or in person as the circumstances require, not less than 48 hours in advance of the hearing.

Section 11. Creation of Section 90.09, Hearing Procedures. Section 90.09 of Chapter 90 titled "Hearing Procedures" of the La Grange Code of Ordinances is

hereby amended by adding thereto a new Section 90.09 which new Section 90.09 shall hereafter be read as follows:

HEARING PROCEDURES.

(A) The Chief of Police will serve as the Hearing Officer for hearings requested pursuant to Section 90.05 or Section 90.08. The Hearing Officer may not determine or adjudicate any citation issued relative to the vehicle.

(B) After reviewing all relevant evidence presented at any pre-tow or post-tow hearing, the Hearing Officer must determine, based on a preponderance of the evidence, whether lawful authority exists for the towing and any storage of the vehicle. The Hearing Officer must record this determination and the basis for the determination in writing, and must provide the vehicle owner with a copy of the written determination.

(C) If the Hearing Officer determines that lawful authority exists for towing the vehicle or that the owner failed to properly request a hearing pursuant to Section 90.05 or Section 90.08, then the written determination of the Hearing Officer must:

(1) For pre-tow hearings, direct that the vehicle be towed, with any towing and storage costs to be imposed on the vehicle's owner. The fees to be charged for towing and storage services must be set in accordance with Section 90.07B. The vehicle owner may avoid the towing by immediately removing the vehicle from the improper location to a proper, lawful location and by correcting any unlawful condition of the vehicle.

(2) For post-tow hearings, indicate the amount due for towing and storage of the vehicle. The Hearing Officer may determine that the owner incurred additional storage charges for reasons not the fault of the owner and therefore excuse some or all of the storage charges. The specific amount owed by the owner and the specific amount of any charges excused must be stated in the written determination of the Hearing Officer. If a specific amount of any charges is excused, then:

(a) The owner of a vehicle that has been released will be reimbursed by the Village for the amount of any charges excused; or

(b) The owner of a vehicle that is still impounded may obtain the release of the vehicle on payment of the amount owed if the owner presents the written determination of Hearing Officer to the towing service operator at the time of the payment.

(D) If the Hearing Officer determines that lawful authority does not exist for

towing the vehicle or that the requirements for towing a vehicle had not been satisfied, then the written determination of the Hearing Officer must:

(1) For pre-tow hearings, direct that the vehicle may not be towed. The owner may display his copy of the written determination inside the vehicle. No vehicle about which such a decision has been rendered may be towed by the Village unless (i) the circumstances under which the decision was rendered have changed, and (ii) the procedures for towing similarly-situated vehicles under this Code are followed.

(2) For post-tow hearings:

(a) If the vehicle has been released to the owner, note the amount of towing and storage fees prepaid by the owner and advise the owner that those towing and storage fees will be reimbursed by the Village.

(b) If the vehicle is still impounded at the time of the hearing, direct that the vehicle be released. This written determination of the Hearing Officer is an order for release that entitles the owner to release of the vehicle without payment of any towing or storage charges previously incurred. The Village will be responsible for towing and storage fees due to the towing service.

(E) Whenever the Hearing Officer determines that the vehicle's owner is entitled to reimbursement by the Village, the Hearing Officer must transmit a copy of the Hearing Officer's written determination to the Village's Finance Director, who must promptly remit payment of the money due to the vehicle's owner, unless the Village files a lawsuit to contest the decision of the Hearing Officer.

(F) The Village or the vehicle's owner may contest the decision of the Hearing Officer in any manner provided by law.

Section 12. Creation of Section 90.10, Sale of Disposal or Towed Vehicle.
Section 90.10 of Chapter 90 titled "Sale of Disposal or Towed Vehicle" of the La Grange Code of Ordinances is hereby amended by adding thereto a new Section 90.10 which new Section 90.10 shall hereafter be read as follows:

SALE OR DISPOSAL OF TOWED VEHICLE.

The Village may sell or otherwise dispose of a towed vehicle in a manner authorized by Sections 4-208, 4-209, or 4-209.1 of the Illinois Vehicle Code or other applicable State law and determined by the Village to be in its best interests. The Village must comply with all applicable notice and waiting period requirements, if any, under State law.

Section 13. Creation of Section 90.11, Forms of Notices, Other Forms; Regulations Entries. Section 90.11 of Chapter 90 titled "Forms of Notices, Other Forms; Regulations" of the La Grange Code of Ordinances is hereby amended by adding thereto a new Section 90.11 which new Section 90.11 shall hereafter be read as follows:

FORM OF NOTICES, OTHER FORMS; REGULATIONS.

The Chief of Police may promulgate notices, forms, and regulations necessary to implement the provisions of this Chapter.

Section 14. Effective Date. This Ordinance will be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 2010.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____ 2010.

Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

VILLAGE OF LA GRANGE
Finance Department

BOARD REPORT

TO: Village President, Board of Trustees, Village Clerk and
Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager,
Michael A. Holub, Police Chief
Lou Cipparrone, Finance Director

DATE: July 26, 2010

RE: **BUDGET AMENDMENTS - GRANT FUNDS**

In April 2010, the Village Board approved a resolution accepting a Judicial Assistance Stimulus Grant Award in the amount of \$69,505. The focus in the use of these funds is to concentrate on police presence and enforcement in the Central Business District, as well as pedestrian and traffic movement during peak times in the Village over the next two fiscal years (FY 2010-11 - \$40,200; FY 2011-12 - \$29,305). The grant will primarily fund special details (CBD, truck, parking enforcement, public relations, etc.) for both full-time and part-time personnel, a traffic message board, ID cards and software updates.

The Village also received a Highway Safety Memorial Day grant from IDOT in the amount of \$5,568. These funds were used for saturation patrols throughout the Village for safety belt enforcement during the last two weeks in May.

As the availability of these grant funds were unknown during the course of the budget process the grant funds were not included in the current FY 2010-11 budget. Attached is a resolution requesting budget adjustments to formally incorporate the grant revenues and offsetting Police Department expenditures into the FY 2010-11 budget.

It is our recommendation that the resolution and budget amendments for FY 2010-11 be approved.

A second resolution was also approved in April for a Judicial Assistance Non-Stimulus Grant award in the amount of \$20,813. These funds are not anticipated to be expended until FY 2011-12 and will be incorporated into next year's fiscal budget.

VILLAGE OF LA GRANGE

RESOLUTION R-10-_____

BUDGET AMENDMENT – JUDICIAL ASSISTANCE STIMULUS GRANT AND
ILLINOIS DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY GRANT

BE IT RESOLVED that the President and Board of Trustees of the Village
of La Grange adopt the 2010-11 Operating and Capital Improvements
Budget Amendment as set forth in the document as attached hereto and
made a part here of.

Adopted this _____ day of _____, 2010, pursuant to a roll call vote as
follows:

AYES: _____

NAYS: _____

ABSENT: _____

Approved by me this _____ day of _____, 2010

Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

MINUTES

VILLAGE OF LA GRANGE
BOARD OF TRUSTEES REGULAR MEETING
Village Hall Auditorium
53 South La Grange Road
La Grange, IL 60525

Monday, June 14, 2010 - 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 7:35 p.m. by President Asperger. On roll call, as read by Administrative Secretary Ellie Elder, the following were present:

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

ABSENT: Village Clerk Milne

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

2. PRESIDENT'S REPORT

A. Oath of Office – Police Officer Antonio Piscopo

With the recent retirement in the Police Department, the Board of Fire and Police Commissioners appointed Antonio Piscopo to the position of Police Officer effective June 14, 2010. President Asperger welcomed Antonio Piscopo and invited him forward to receive the oath of office.

President Asperger indicated there would be an Economic Development Workshop to discuss the West End Business District immediately following the regular meeting this evening.

Acknowledging all involved in the 64th Annual Pet Parade, President Asperger noted the success of this event despite the inclement weather.

Thanks were expressed to the La Grange Garden Club for designing and planting the planters throughout the downtown area.

President Asperger announced the launching of the Village's newly redesigned website and encouraged the public to visit the site and sign up for announcements.

Congratulations were expended to the Lyons Township High School Girls Water Polo for their State Championship.

Lastly, President Asperger congratulated Lyons Township High School for winning numerous awards in the Chicagoland High School Video Festival.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

None

4. OMNIBUS AGENDA AND VOTE

- A. Ordinance (#O-10-17) Variation Corner Side yard / Bill and Karen Ford, 301 S. Seventh Avenue
- B. Ordinance (#O-10-18) Creating an Additional Class A-2 Liquor License, Thiapi Thai, 25 W. Calendar Avenue
- C. Ordinance (#O-10-19) Creating an Additional Class A-2 Liquor License – Santiago's Mexican Cocina, 22 W. Calendar Avenue
- D. Ordinance (#O-10-20) Creating an additional Class H Liquor License, Ceramic Art Café, 26 S. La Grange Road
- E. Purchase – Public Works Department / Replacement Dump Truck (Prairie International, Inc. \$74,637 less trade-in value of \$7,500 & Lindco Equipment Sales, Inc. \$44,654)
- F. Equipment Purchase – Public Works Department / above Ground Fuel Storage Tank (Ampsco, Forest View, IL \$19,898)
- G. Award of Contract – 2010 50/50 Sidewalk Replacement Program (Kings Point General Cement, Inc.)
- H. Resolution (#R-10-12) – Appointment of Fire Chief as the Village Emergency Management Agency Coordinator

- I. Intergovernmental Agreement – Consortium Testing for Firefighter / Paramedic Applicants Through the College of DuPage
- J. Ordinance (#O-10-21) Amendment to the Village Code Governing the Foreign Fire Insurance Board
- K. Ordinance (#O-10-22) Disposal of Surplus Property
- L. Ordinance (#O-10-23) Prevailing Wage Rates for 2010
- M. Minutes of the Village of La Grange Special Village Board Meeting on Monday, April 19, 2010 (Strategic Planning Workshop)
- N. Minutes of the Village of La Grange Board of Trustees Regular Meeting Monday, May 10, 2010
- O. Consolidated Voucher 100524 – (\$805,894.73)
- P. Consolidated Voucher 100614 – (\$1,248,446.57)

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

Approved by roll call vote.

Ayes: Trustees Holder, Horvath, Kuchler, Langan, Livingston,
and Palermo

Nays: None
Absent: None

5. CURRENT BUSINESS

- A. Ordinance (#O-10-24) Zoning Code Amendments – C-1 Core Retail District, O-1 General Office District and I-1 Light Industrial District: Referred to Trustee Kuchler

Trustee Kuchler detailed current evaluation of the Village’s comprehensive phased review of the Zoning Code. Trustee Kuchler noted that a public hearing was conducted on May 11 where the Plan Commission considered all of the proposed amendments. After substantial deliberation the Plan Commission

unanimously recommended that the Board of Trustees approve the proposed amendments.

The recommended amendments included changes to the C-1 Central Commercial District; O-1 General Office District; and I-1 Light Industrial District. Trustee Kuchler reiterated all of the proposed amendments.

Trustee Kuchler moved to approve an Ordinance Amending Articles V, VI, and VII of the La Grange Zoning Code related to Permitted Uses, Special Uses, as related to provisions in the C-1 Central Commercial, O-1 General Office, and I-1 Light Industrial Zoning Districts, seconded by Trustee Langan. Approved by roll call vote.

Approved by roll call vote.

Ayes: Trustees Holder, Horvath, Kuchler, Langan, Livingston,
and Palermo

Nays: None

Absent: None

President Asperger informed the audience that the Board of Trustees has had significant opportunity to review the amendments and participate with staff and the Plan Commission prior to this evening.

B. TIF Surplus Distribution / Assigned Fund Balance: Referred to Trustee Holder

Trustee Holder noted that the Village has received approximately \$750,000 in TIF surplus distributions due to the termination of the TIF District. Trustee Holder explained that several recent workshops have been conducted whereby the Village Board has discussed the utilization of these funds.

Trustee Holder noted the implementation of GASB 54 relates to fund balance reporting and governmental fund type definitions explaining that available fund balance reserves will now be classified as unassigned.

Trustee Holder indicated that approval of the proposed financial policy would appoint the Village Manager as the authorized Village official to assign funds and that the assignment of TIF surplus funds would be presented in the year end financial statements under the general heading of Economic Development.

Trustee Holder clearly noted that this new financial policy is only for reporting purposes and the Board of Trustees will continue to authorize actual use of the funds.

It was moved by Trustee Holder to support the early implementation of GASB54 and appoint the Village Manager as the authorized official to assign funds for reporting purposes, seconded by Trustee Kuchler.

Trustee Horvath inquired if funds would be locked in to being used for economic development and Trustee Holder explained they are only assigned within this item for reporting purposes.

Trustee Palermo inquired about unassigned fund balances and if they would be available for pension levies. Finance Director Cipparrone indicated affirmatively noting that funds designated for economic development for reporting purposes could be utilized wherever authorized by the Board of Trustees.

Approved by roll call vote.

Ayes: Trustees Holder, Horvath, Kuchler, Langan, Livingston,
and Palermo

Nays: None
Absent: None

6. MANAGER'S REPORT

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

None

8. EXECUTIVE SESSION

9. *TRUSTEE COMMENTS*

Trustee Holder thanked to the Zoning Board of Appeals and Plan Commission on their dedication and ability to anticipate future planning and development needs for the Village.

Trustee Horvath recognized the volunteers and sponsors of the recent Pillars House Tour.

Trustee Palermo expressed compliments to Lyons Township High School and the recent Relay for Life and noted his pride of community support.

10. ADJOURNMENT

At 8:10 p.m. it moved by Trustee Langan to adjourn, seconded by Trustee Holder. Motion approved by voice vote.

Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

Approved Date:

VILLAGE OF LA GRANGE

Disbursement Approval by Fund

June 28, 2010

Consolidated Voucher 100628

<u>Fund No.</u>	<u>Fund Name</u>	<u>06/28/10 Voucher</u>	<u>06/25/10 Payroll</u>	<u>Total</u>
01	General	107,968.88	273,969.83	381,938.71
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax	141.73		141.73
23	TIF			0.00
24	ETSB			0.00
40	Capital Projects	1,675.00		1,675.00
50	Water	9,154.41	38,768.58	47,922.99
51	Parking	17,056.35	23,155.34	40,211.69
60	Equipment Replacement	856.95		856.95
70	Police Pension			0.00
75	Firefighters' Pension	2,510.00		2,510.00
80	Sewer	2,564.62	9,996.43	12,561.05
90	Debt Service			0.00
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		<u>141,927.94</u>	<u>345,890.18</u>	<u>487,818.12</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

VILLAGE OF LA GRANGE

Disbursement Approval by Fund

July 12, 2010

Consolidated Voucher 100712

Fund No.	Fund Name	07/12/10 Voucher	07/09/10 Payroll	Total
01	General	142,578.91	277,300.72	419,879.63
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax			0.00
23	TIF			0.00
24	ETSB	3,960.60		3,960.60
40	Capital Projects	368,606.74		368,606.74
50	Water	157,865.68	39,977.68	197,843.36
51	Parking	5,911.99	22,721.58	28,633.57
60	Equipment Replacement	13,207.28		13,207.28
70	Police Pension			0.00
75	Firefighters' Pension	2,210.00		2,210.00
80	Sewer	6,575.15	9,642.25	16,217.40
90	Debt Service	24,302.50		24,302.50
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		<u>725,218.85</u>	<u>349,642.23</u>	<u>1,074,861.08</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

VILLAGE OF LA GRANGE

Disbursement Approval by Fund

July 26, 2010

Consolidated Voucher 100726

<u>Fund No.</u>	<u>Fund Name</u>	<u>07/26/10 Voucher</u>	<u>07/23/10 Payroll</u>	<u>Total</u>
01	General	0.00	272,098.86	272,098.86
21	Motor Fuel Tax	0.00		0.00
22	Foreign Fire Insurance Tax	0.00		0.00
23	TIF	0.00		0.00
24	ETSB	0.00		0.00
40	Capital Projects	0.00		0.00
50	Water	0.00	36,785.20	36,785.20
51	Parking	0.00	23,332.55	23,332.55
60	Equipment Replacement	0.00		0.00
70	Police Pension	0.00		0.00
75	Firefighters' Pension	0.00		0.00
80	Sewer	0.00	9,172.36	9,172.36
90	Debt Service	0.00		0.00
91	SSA 4A Debt Service	0.00		0.00
93	SAA 269	0.00		0.00
94	SAA 270	0.00		0.00
		<u>0.00</u>	<u>341,388.97</u>	<u>341,388.97</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Patrick D. Benjamin, Community Development Director

DATE: July 26, 2010

RE: **SPECIAL EVENT -- LA GRANGE BUSINESS ASSOCIATION**
"WEST END ART FESTIVAL" AND "AN EVENING OF ART &
JAZZ"

Attached is a request from Andrea Barnish, Chairman of the La Grange Business Association's West End Art Festival seeking approval to conduct the 15th annual "West End Art Festival". The festival is planned to take place on Saturday, September 18th from 10 am to 5 pm and Sunday September 19th from 10 am to 4 pm. As in past years, the La Grange Business Association will be working with Erin Melloy of EM Events. Erin Melloy has extensive experience in the art festival business. She is part founder of Naperville's acclaimed Riverwalk Art Festival and currently is the director of shows in Geneva, Orland Park, Oswego and Riverside.

This event would again be held on Burlington Avenue between Brainard and Spring Avenues, as well as in the park area surrounding Stone Avenue train station. La Grange Business Association is in the process of securing permission from the Burlington Northern Railroad to use the park area. It is anticipated that up to 150 artists and exhibitors, as well as a few food vendors, will be at the event.

In addition to the traditional West End Art Festival, the La Grange Business Association is proposing a new event, "*An Evening of Art and Jazz*" to be held on Friday, September 17th beginning at 6:00 p.m. Guests will enjoy appetizers, drinks and live music and a preview of the art festival. The evening's events are scheduled to conclude by 9:00 p.m.

The La Grange Business Association would like to build on the success of its previous summer art exhibits. This year they have coordinated activities in an attempt to engage all segments of the community and to draw art lovers from other communities to La Grange for this event.

Village staff has reviewed the request and is supportive of the event subject to the following conditions:

1. that all licenses, permits and insurance coverages be obtained to the satisfaction of the Village; and
2. that the Village maintain final approval of site, security, parking and utility plans; and
3. that all adjacent affected businesses be contacted well in advance of the event by the sponsors and proof of contact be provided to Village staff; and
4. that all residents on the first block of South Stone and Waiola Avenues are advised of the event, and the closure of Burlington Avenue; and
5. that the administration of the Lyons Township High School North campus be advised of the event and the closure of Burlington Avenue; and
6. that commuters of the Stone Avenue train station be advised of the event and the closure of Burlington Avenue.

At the time of this writing, a region-wide labor action caused the suspension of work on the Burlington Avenue Resurfacing Project and METRA's platform reconstruction project at the Stone Avenue train station. Village management and Department Heads have had a very preliminary contingency discussion should the resurfacing project not be completed in time. It is more likely, however, that the platform reconstruction project will not be completed prior to the Festival. Village staff will work with event organizers and the LGBA to make the most of the conditions and available grounds at that time.

With respect to the sale and consumption of alcohol at "*An Evening of Art and Jazz*," we recommend that:

1. The LGBA use a licensed caterer to sell the alcohol;
2. Liquor control will be at the point of purchase and closely monitored thereafter by catering staff and LGBA volunteers; and
3. No open alcohol will be permitted to leave the area.

If you concur with this request, the Village will need to formally approve: (1) the closure of Burlington Avenue, portions of Stone and Waiola Avenues, and (2) waive restrictions for the outdoor display and sale of goods and services in the C-2 Zoning District.

Representatives of the La Grange Business Association will be in attendance at the Board Meeting and will be available to answer any further questions you may have.

We recommend that the Village Board authorize the La Grange Business Association to utilize Burlington Avenue from Waiola Avenue to Brainard Avenue for the "West End Art Festival" and the "*An Evening of Art and Jazz*" on September 17th and 19th, 2010; that restrictions prohibiting outdoor display and sale of goods and services be waived in conjunction with this event; and that all conditions listed above be satisfied.

VILLAGE OF LA GRANGE
Administrative Offices

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager

DATE: July 26, 2010

RE: **RESOLUTION — AUTHORIZING A CASE STUDY EVALUATION OF
POLICE DEPARTMENT AND FIRE DEPARTMENT SERVICE
DELIVERY, AND COOPERATIVE OPPORTUNITIES WITH THE
METROPOLITAN MAYORS CAUCUS BETWEEN THE VILLAGES OF
LA GRANGE, LA GRANGE PARK AND WESTERN SPRINGS, ILLINOIS**

Intergovernmental cooperation is a strategic priority for the La Grange Village Board of Trustees. Such cooperation can take many forms, but generally follows a continuum of: shared resources (materials and equipment such as road salt and backhoes); mutual aid (sharing of personnel, both formally and informally); shared services (such as emergency medical services and solid waste collection and disposal); pooling (as in risk management and health insurance cooperatives); regional councils of government (for municipal advocacy, purchasing and statutorily—required land use and transportation planning); functional consolidation (which is a highly-structured integration or sharing of resources on a programmatic level); and finally, a complete merger (which is a full scale, vertical integration of resources, up to and inclusive of governance).

The Village has either participated in or has explored each of these forms of intergovernmental cooperation over a period of many years. The Village also continues to be engaged in most of these forms on an operational basis.

The Village Board most recently affirmed this priority at its strategic planning session in January 2010 and again on an operational planning level in April 2010, with specific direction to continue to: (1) develop an operational vision for consolidation opportunities, (2) identify motivated partners and (3) cultivate partnerships accordingly.

The Presidents and Managers of La Grange, La Grange Park and Western Springs recently met to discuss and indicate a willingness to work together to explore opportunities for consolidated services, with an emphasis on public safety.

On a concurrent basis, one of the Managers became aware of a potential resource and grant opportunity through the Metropolitan Mayors Caucus to partially underwrite the cost of conducting a preliminary assessment of public safety service delivery scenarios. The Caucus, in conjunction with the MacArthur Foundation, is willing to underwrite one-half of the cost of the preliminary study to determine if there is sufficient departmental compatibility on an operational level and potential cost savings (operational and capital) to warrant a more in-depth, technical analysis.

The net cost to the Village for this feasibility study is \$7,500. A copy of the proposal is attached for your reference. In order to participate in this case study, the Metropolitan Mayors Caucus has requested that the governing body of each Village pass a resolution to authorize the evaluation. Attached for your consideration is such a resolution.

Upon its passage, milestone dates and deliverables would be as follows:

1. July 2010 — participating Villages adopt a resolution of intent.
2. August 2010 — Department Heads compile data and information requested by the consultant.
3. September — November 2010 — Data analysis by consultant.
4. December 2010 — Final report to participating Villages.

Fire Chief David Fleege and Police Chief Michael Holub support this initiative, as they both identified and recommended specific opportunities for consolidated services within their respective departments at the Village Board's planning session back in January. In addition, both Chiefs have been briefed as to the nature and direction of these executive level discussions. Both Chiefs have been encouraged to discuss the need, scope and nature of the study with their respective departmental staff. We hope to communicate the following to our public safety employees:

1. While the principle reason for the study is to identify cost saving opportunities, it is also our hope to achieve operational benefits;
2. We are conducting a professional study to independently evaluate the potential for such opportunities; and
3. The nature of the investigative study is exploratory.

It is our intent to keep our staff informed throughout the process.

Finally, both Chiefs will have input on data analysis and study findings.

It is our recommendation that the resolution be approved.

VILLAGE OF LA GRANGE

Resolution No. _____

A Resolution Authorizing A Case Study Evaluation of Police Department and Fire Department Service Delivery, and Cooperative Opportunities with the Metropolitan Mayors Caucus between the Villages of LaGrange, La Grange Park and Western Springs, Illinois.

WHEREAS, the Villages of La Grange, La Grange Park and Western Springs are similarly situated and thus have from time-to-time engaged in collective discussions and joint ventures concerning the delivery of municipal services; and

WHEREAS, the current economic climate has challenged all levels of government to be innovative and re-think existing service delivery models including the Villages of La Grange, La Grange Park, and Western Springs, who believe that it would be appropriate at this time to investigate the possibility of shared public safety services to determine the potential for operational cost savings and capital cost savings between all three communities; and

WHEREAS, the Villages of La Grange, La Grange Park and Western Springs believe that while the primary purpose of exploratory study is to assess the potential for more cost effective delivery of public safety services to residents, it is also an expressed desire to determine if operational enhancements involving facilities, equipment and staffing could be achieved; and

WHEREAS, the Villages of La Grange, La Grange Park and Western Springs believe that a professional and independent study to assess and identify the potential for cooperative opportunities is the best project approach; and

WHEREAS, the Illinois Constitution provides that units of local government may contract and otherwise associate among themselves and with individuals, and corporations in a manner not prohibited by law or ordinance pursuant to Article VII, Section 10; and,

WHEREAS, the Intergovernmental Cooperation Act 5 IL CS 220/1 et seq provides that any one or more public agencies may contract with one another to perform any contract, governmental service activity, or undertaking, which any of the public agencies entering into that contract is authorized by law to perform; and

WHEREAS, the Villages Boards of La Grange, La Grange Park, and Western Springs have determined it is in their best interest to submit application for a case study evaluation request for police and fire services with the Metropolitan Mayors Caucus; and

WHEREAS, the cost of the case study evaluation for police and fire services is \$15,000 for each of the three Villages; and

WHEREAS, half of the cost of the case study evaluation for police and fire services will be funded by the Metropolitan Mayors Caucus and half by the respective communities; and

WHEREAS the Village Boards of the Villages of La Grange, La Grange Park, and Western Springs have adopted, or will adopt a similar resolution supporting the evaluation of shared service opportunities and possibilities.

NOW THEREFORE, BE IT RESOLVED, that the Village of La Grange hereby authorizes the Village Manager to execute the application for the Metropolitan Mayors Caucus case study evaluation and any other documents that may be required and necessary to implement the terms of this Resolution and for the study to go forward following approval of the application by the Metropolitan Mayors Caucus.

PASSED by the President and Board of Trustees of the Village of La Grange, Cook County Illinois, and approved this 26th day of July, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Elizabeth M. Asperger, Village President

Robert N. Milne, Village Clerk

VILLAGE OF LA GRANGE
Administrative Offices

BOARD REPORT

TO: Village Clerk, Board of Trustees and
Village Attorney

FROM: Elizabeth M. Asperger, Village President

DATE: July 26 2010

RE: **CLOSED SESSION — PENDING LITIGATION**

It is requested that the Village Board meet in Closed Session, in accordance with the Illinois Open Meetings Act, for the purpose of discussing matters related to pending litigation.