

MINUTES

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

Monday, December 10, 2007 - 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

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

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

ABSENT: None

OTHERS: Village Manager Robert Pilipiszyn
Village Attorney Mark Burkland
Community Development Director Patrick Benjamin
Assistant Community Development Director / Planner Angela Mesaros
Finance Director Lou Cipparrone
Public Works Director Ken Watkins
Police Chief Mike Holub
Fire Chief David Fleege
Doings Reporter Ken Knutson

2. PRESIDENT'S REPORT

President Asperger announced that the La Grange Business Association's Annual Hometown Holiday was well attended despite the icy weather conditions. Thank you was extended to the Public Works staff for decorating the Central Business District while maintaining public walkways.

The Plan Commission will meet tomorrow evening at 7:30 p.m. to discuss a proposal for a planned unit development, special use permit and site plan approval for a townhome development at 47 South 6th Avenue (the former Peck Building) and the public is encouraged to attend. The YMCA redevelopment will not be discussed until January.

A Liquor Commission meeting was conducted earlier this evening and recommended an amendment to the current liquor code to include a new classification. President Asperger

explained that the new classification would allow Vineyard Dog Wines, Inc. to apply for such a liquor license for their new concept in wine tasting and selling.

President Asperger explained that the Omnibus Agenda lists a proposed amendment to the Village's ordinance which regulates smoking throughout the community. This amendment is in response to the statewide legislation which was passed in July, 2007 prohibiting smoking in public places and places of employment. President Asperger noted that the original ordinance was thoroughly discussed by the Village Board prior to its adoption. The three recommended amendments are merely adjustments to the original ordinance.

A. Oath of Office – Firefighter / Paramedic Brian Ratkovich

President Asperger stated that a vacancy occurred within the Fire Department and the La Grange Board of Fire and Police Commission appointed Brian Ratkovich to the position of Firefighter / Paramedic effective December 17, 2007. President Asperger welcomed Brian who is a licensed paramedic and certified firefighter. Village Clerk Milne administered the Oath of Office to Firefighter/Paramedic Brian Ratkovich.

B. Introduction – Canine Handler, Police Sergeant Erik Berg and K-9 Officer “Dak”

President Asperger introduced the newest member of the La Grange Police Department, a one-year-old Belgian Malinois Police K-9 named Dak. Police Sergeant Erik Berg has been chosen as the handler and has completed extensive training with Dak at the Cook County Sheriff's Canine Training Unit. President Asperger presented Dak with his badge.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Doug Brown, 4 Calle View Drive gave a thorough explanation of the circumstances in his request seeking a variation from the Zoning Code in order to allow more than one garage on his property. Mr. Brown indicated his willingness to adhere to any conditions associated with the variation.

4. OMNIBUS AGENDA AND VOTE

A. Amendment to Village Code – Regulations Governing Smoking in Public Places (Ordinance #O-07-43)

B. Ordinance (#O-07-44) – Establishing Regulations for Cable and Video Service Providers

C. Amendment to Village Code – Standards for Constructing Utilities in Village Rights-of-Way (Ordinance #O-07-45)

- D. Consolidated Voucher 071210 (\$631,591.55)
- E. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, November 26, 2007

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

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo, Wolf and President Asperger
Nays: None
Absent: None

5. CURRENT BUSINESS

- A. Ordinance (#O-07-46) – Variation – Storage of Vehicles in Garages / Douglas and Jeanne Brown, 4 Calle View Drive: Referred to Trustee Horvath

Trustee Horvath explained that the petitioners purchased two buildable lots which contained a single family residence with an attached garage as well as a detached garage. The petitioner wished to demolish the existing house to construct a new single family residence with an attached garage and maintain the detached garage for storage. Only one garage is permitted per zoning lot. Although the Zoning Code states that the total gross floor area of an accessory storage structure other than garages shall not exceed 100 square feet, it does not allow variations for the size of storage structures.

Trustee Horvath added that the request to maintain the detached garage for storage was denied by the Zoning Board of Appeals with three ayes and three nays, at least four ayes are required to decide in favor of any application.

Reasons on the decision by the Zoning Board of Appeals were identified. Trustee Horvath noted that the petitioners have agreed that they would remove and not restore the driveway to the existing garage nor would they apply for another accessory structure.

Trustee Horvath stated that in accordance with State Statute, the approval of any proposed variation which fails to receive the approval of the Board of Appeals will not be passed except by the favorable vote of two-thirds majority vote by roll call of all Trustees (four out of six Trustees) currently holding office.

It was moved by Trustee Horvath to approve the ordinance authorizing a variation for storage of vehicles in garages in order to allow more than one garage on the property located at 4 Calle View Drive, seconded by Trustee Wolf.

After much discussion by the Village Board, President Asperger summarized the conditions for approval as follows: no additional structure, removal of the driveway and no additional living quarters. The petitioner agreed to these conditions. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo, and Wolf
Nays: None
Absent: None

- B. Ordinance (#O-07-47) – Abatement of 2007 Tax Levy / 2005 Street Light Refunding Bonds: Referred to Trustee Kuchler

Trustee Kuchler explained the beginning history of the Residential Streetlight Program noting the Village Board's approval to issue alternate revenue bonds in 1998 to complete the program. Due to more favorable interest rates in 2005, the Village adopted an ordinance authorizing the refunding of the remaining outstanding bonds, thereby saving the Village approximately \$100,000 in interest over the remaining life of the issue which matures on December 1, 2017. Trustee Kuchler added that the Series 2005 bond issue is a general obligation, alternate revenue source issue, backed by the full faith and credit of the Village. Revenues derived from the collection of utility taxes are pledged to pay the principal and interest expenditures related to this issue. Because sufficient revenues from the utility tax are available within the General Fund, it is appropriate to abate this portion of the tax levy.

It was moved by Trustee Kuchler to approve the Ordinance abating taxes levied for 2007 with respect to the \$2,785,000 General Obligation Refunding Bonds, Alternate Revenue Source, Series 2005, in the amount of \$295,853, seconded by Trustee Horvath. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo, and Wolf
Nays: None
Absent: None

- C. Resolution - (Library Resolution No. R-11-A-2007) – Levying a Tax for Library Operating Purposes: Referred to Trustee Kuchler

Trustee Kuchler explained the La Grange Library Board of Trustee's 2007 tax levy request for operating purposes is \$1,697,566 which is a 3.88% increase over last year's tax levy. This is the allowable increase under the Property Tax Limitation Act and is equal to the increase of the Village tax levy request. Because the La Grange Library is a "municipal library" rather than a separate "public library district" it must levy property taxes as part of the Village of La Grange tax levy.

Trustee Kuchler noted that Library Director Steve Moskal is in attendance to answer any questions.

It was moved by Trustee Kuchler to accept La Grange Public Library Resolution approved by the Library Board, seconded by Trustee Langan. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo and Wolf
Nays: None
Absent: None

D. Ordinance (#O-07-48) – 2007 Property Tax Levy for Village Operations:
Referred to Trustee Kuchler

Trustee Kuchler explained that the preliminary 2007 property tax levy was reviewed and discussed in detail at the October 22, 2007 Village Board meeting and since the tax levy did not exceed Truth in Taxation requirements it was not necessary to hold a public hearing to adopt the final levy. The final tax levy includes an increase of 3.88%, exclusive of debt service, over the prior year's tax extension. The increase reflects the allowable increase under the Property Tax Limitation Act of 2.5% (Consumer Price Index) as of December 2006.

Trustee Kuchler noted that on average, a home with an assessed property value of \$250,000 would only incur an annual increase of \$17.36 from the Village levy and \$4.75 from the Library levy.

Although a Special Service Area levy is filed with Cook County to fund on-going maintenance of the Central Business District, it is not subject to Truth in Taxation requirements. By ordinance the Special Service Area levy is to be adjusted annually by the Consumer Price Index utilized as part of the Property Tax Limitation Act. Trustee Kuchler noted the 2007 Special Service Area levy of \$54,741 reflects an increase of 2.5% over last year's levy of \$53,406.

It was moved by Trustee Kuchler to adopt the ordinance requesting a 2007 property tax levy of \$6,792,632, exclusive of debt service, which is a 3.88% increase from the 2006 levy, seconded by Trustee Langan. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo and Wolf
Nays: None
Absent: None

6. MANAGER'S REPORT

Village Manager Robert Pilipiszyn summarized the solid waste survey which was distributed to residents last summer relative to refuse collection and disposal. Of the 1,200 surveys returned or 28% response rate, approximately 76% wished to retain the current volume-based system; 13% preferred a mandatory toter program; and 11% were willing to try a modified volume base option. Mr. Pilipiszyn identified general comments and opinions provided by residents and indicated that negotiations have been initiated for a new multi-year contract with Allied Waste to include the retention of the current volume-based system.

Mr. Pilipiszyn responded to a previous inquiry made regarding truck enforcement of tandem trucks on non-designated truck routes in La Grange. A clarification was given on the meaning of a non-designated truck route as it relates to trucks size, weight and height.

Mr. Pilipiszyn indicated that the Department of Public Works will continue to pick up leaves as weather allows.

Lastly, Mr. Pilipiszyn announced that the Village Hall will be closed on Monday, December 24 and Tuesday, December 25 for the holiday. The Village Hall will also be closed on Monday, December 31 and Tuesday, January 1, 2008 for the holiday. The regularly scheduled Village Board meeting on Monday, December 24 is cancelled and the next regularly scheduled meeting will be on January 14, 2008

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

None

8. EXECUTIVE SESSION

A. Closed Session – Personnel Matters and Purchase, Sale, or Lease of Real Property

President Asperger noted that the Village Board would adjourn to closed session and not reconvene.

It was moved by Trustee Langan and seconded by Trustee Horvath to convene in the lower level conference room for Executive Session to discuss personnel matters and the purchase, sale or lease of real property. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo and Wolf
Nays: None
Absent: None

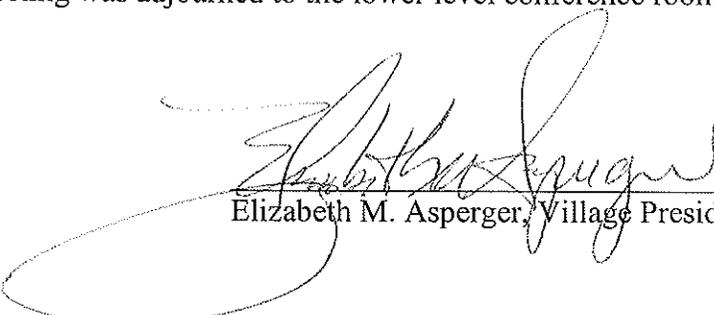
9. TRUSTEE COMMENTS

Trustee Livingston in anticipation of the inclement weather forecast noted his appreciation of the Public Works staff who work around the clock to plow and salt public right-of-ways.

Trustee Kuchler expressed his thanks to Village Manager Pilipiszyn and staff for their research on truck traffic and proposed enforcement.

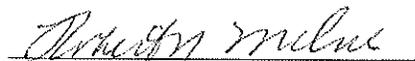
10. ADJOURNMENT

At 8:35 p.m. the meeting was adjourned to the lower level conference room for closed session.



Elizabeth M. Asperger, Village President

ATTEST:



Robert N. Milne, Village Clerk



Approved Date