

## MINUTES

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

Monday, September 24, 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 Deputy Clerk Ellie Elder, the following were present:

PRESENT: Trustees Horvath, Kuchler, Langan, Livingston, Palermo and Wolf with President Asperger presiding.

ABSENT: Village Clerk Robert Milne

OTHERS: Village Manager Robert Pilipiszyn  
Assistant Village Manager Andrianna Peterson  
Village Attorney Mark Burkland  
Community Development Director Patrick Benjamin  
Assistant Community Development Director Angela Mesaros  
Finance Director Lou Cipparrone  
Public Works Director Ken Watkins  
Assistant Public Works Director Mike Bojovic  
Police Lieutenant Vic Arnold  
Fire Chief David Fleege  
Suburban Life Reporter Joe Sinopoli

### 2. PRESIDENT'S REPORT

President Asperger congratulated the La Grange Business Association for their highly successful West End Art Festival which included the Elephants Under the Big Top auction. Recognition was given to volunteers and supporters of the event whereby approximately \$36,000 was raised to be donated to various local charities.

Congratulations was also extended to the Community Diversity Group for their successful Race Unity Rally which featured speakers from the National Coalition Building Institute and special honors were given to Marian Honel-Wilson for her service to the community and efforts relevant to diversity and human rights.

President Asperger invited the public to attend the Fire Department's Open House on Saturday, October 6. The open house will include various demonstrations and tours.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Herb Schepel, 100 S. Ashland gave a brief history on his request for a variation of maximum building coverage noting the unanimous approval of the Zoning Board of Appeals. Mr. Schepel noted his availability to answer any questions.

Tim Trompeter, 318 S. Ashland indicated he represents Mr. Schepel as well as Heather and Jeff Yuknis in regards to their request for variations and is available to answer any questions.

Jeff Yuknis, 320 S. Ashland noted his availability to answer any questions relevant to his request for two variations, those being required front yard and maximum building coverage.

Tom Piette, 209 W. Cossitt stated that he owns the property across the street from Mr. Schepel and is acceptable to the request for a variation.

Dennis and Diane Talentowski, 108 S. 7<sup>th</sup> Avenue submitted an addendum and requested consideration of their variation also noting their availability to answer any questions.

Steve Potracki, Architect for Dennis and Diane Talentowski stated he would be available to answer any questions concerning their request for a variation.

4. OMNIBUS AGENDA AND VOTE

- A. Award of Contract – Central Business District Paver Rehabilitation Project ( Midwest Brickpaving Company, Antioch, Illinois - \$73,900)
- B. Consolidated Voucher 070827 (\$409,683.04)
- C. Consolidated Voucher 070910 (\$727,163.16)
- D. Consolidated Voucher 070924 (\$566,613.32)
- E. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, August 27, 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-07-27) – Variation – Maximum Building Coverage / Herb Schepel, 100 South Ashland Avenue: Referred to Trustee Horvath

Trustee Horvath explained that Mr. Schepel has applied for a variation from maximum building coverage requirements to replace an existing one-car detached garage with a two-car detached garage. Trustee Horvath stated that the Zoning Board of Appeals held a public hearing on this matter and voted unanimously to recommend that the variation be granted.

It was moved by Trustee Horvath approve the ordinance for variation of maximum building coverage for 100 South Ashland Avenue, seconded by Trustee Wolf.

Trustee Wolf inquired why this item was placed under current business rather than the omnibus agenda since it had the unanimous vote of the Zoning Board of Appeals.

Trustee Langan stated that because of the recent changes to the zoning code, it is beneficial to have complete disclosure on requests for variations. Trustee Horvath noted that consistency is important.

Trustee Wolf inquired if procedural changes would occur and President Asperger noted that current business agenda items will be discussed and considered first.

Approved by roll call vote.

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

- B. Ordinances – Variation – Required Front Yard (#O-07-29) and Maximum Building Coverage (#O-07-28) / Heather and Jeff Yuknis, 320 South Ashland Avenue: Referred to Trustee Horvath

Trustee Horvath explained that Heather and Jeff Yuknis have applied for a variation to allow them to construct a front porch which then would also require them to seek a variation for maximum building coverage. Trustee Horvath stated that a public hearing was held and the Zoning Board of Appeals determined that the two variations should be voted on separately. The Zoning Board of Appeals voted unanimously to recommend the variation for the front porch, however failed to recommend the variation for maximum building coverage.

Trustee Horvath moved to approve the ordinance for variation required front yard and maximum building coverage at 320 South Ashland, seconded by Trustee Wolf.

Trustee Horvath added that because the Zoning Board of Appeals denied recommending the ordinance for maximum building coverage, it would require a favorable two-thirds majority vote or four out of six Trustees for approval. Village Attorney Burkland indicated that the vote for each ordinance should be individual.

Trustee Horvath and Trustee Wolf expressed their belief that this is a reasonable request and both are in favor.

Trustee Kuchler inquired if there are differences in the criteria from the Zoning Board of Appeals. Village Attorney Burkland noted the zoning code holds the same criteria for both the Zoning Board of Appeals and the Village Board. Trustee Kuchler supports the rulings of the Zoning Board of Appeals to deny the variation.

Trustee Palermo looked favorably on the 3-2 vote the Yuknis variance request received from the Zoning Board of Appeals. He noted that it is difficult to receive the necessary four affirmative votes from just five members; the Yuknis' appeared when one ZBA member was absent and another ZBA seat was vacant.

It had been moved and seconded to approve the ordinance for variation maximum building coverage at 320 South Ashland. Approved by a 4 to 2 roll call vote.

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

It had been moved and seconded to approve the ordinance for variation required front yard. Approved by 6 to 0 roll call vote.

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

C. Ordinance (#O-07-30) – Variation – Required Front Yard / Dennis and Diane Talentowski, 108 South 7<sup>th</sup> Avenue: Referred to Trustee Horvath

Trustee Horvath explained that Dennis and Diane Talentowski have applied for a variation to allow them to construct a front porch. Trustee Horvath stated that a public hearing was held and the Zoning Board of Appeals failed to recommend the variation.

Trustee Horvath added that because the Zoning Board of Appeals denied recommending the ordinance for the variation, it would require a favorable two-thirds majority vote or four out of six Trustees for approval.

Trustee Horvath moved to approve the ordinance for variation required front yard at 108 South 7<sup>th</sup> Avenue, seconded by Trustee Wolf.

The Talentowski's presented an addendum to their original request and Trustee Kuchler inquired if the Zoning Boards decision may have changed had they reviewed the addendum. President Asperger requested the Village Attorney to advise the Board if they could consider such addendum. Attorney Burkland indicated that the Board should consider the public record from the public hearing, although the addendum is outside of the public hearing record, the Board could subjectively consider the addendum.

Trustee Langan feels this variation should be considered for approval.

Approved by roll call vote.

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

Addressing the Village Board in regards to the placement of agenda items, President Asperger noted that she and the Village Manager determine the order of the agenda. President Asperger stated that notification and clarification of the agenda had been reiterated to the Trustees prior to posting. President Asperger noted her displeasure of those seeking political gain rather than working to develop a consensus that works for all areas of the community.

- D. Ordinance (#O-07-31) – Amendment to Village Code / Establishing Updated Standards Relating to Disorderly Conduct and Loitering: Referred to Trustee Langan

Trustee Langan indicated the need for improvement to current Village Code in areas of disorderly conduct and loitering throughout the community and specifically in the Central Business District in order to better assist police officers with enforcement and communication to the public the types of activities and / or actions not acceptable without infringing on an individual's constitutional rights.

It was moved by Trustee Langan to approve the ordinance amendment to the Village Code to establish updated standards relating to disorderly conduct and loitering, seconded by Trustee Livingston.

Trustee Kuchler inquired if this ordinance would allow teens and preteens to congregate and Attorney Burkland explained that the proposed ordinance provides a “mini-due process”, which requires a police officer to engage in a conversation with the individual or group and thus determine whether or not the activity is considered to be disorderly conduct or loitering without infringing on a person’s constitutional rights.

Approved by roll call vote.

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

E. Ordinance (#O-07-32) – Amendment to Village Code / Establishing Standards for Construction of Utilities in Public Rights-of-Way: Referred to Trustee Palermo

Trustee Palermo explained the events and framework which have resulted in telecommunication companies need to access public right-of-ways. Trustee Palermo added that Village staff and the Village Attorney have evaluated current Village ordinances related to utilization of public rights-of-way and have developed a comprehensive set of construction standards that would greatly enhance enforcement standards and be applicable to any utility wishing to utilize public rights-of-way.

Village Attorney Burkland noted that the Illinois Municipal League is currently working on updating standards as well.

Trustee Palermo moved to amend the Village code establishing standards for construction of utilities in public rights-of-way, 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 reminded the audience of the regular monthly brush pick-up on Monday, October 1 and referenced general guidelines.

Manager Pilipiszyn shared information from ComEd relative to the scheduling of overhead utility line clearance in the form of tree trimming and pruning vegetation which may interfere with electrical wires. Manager Pilipiszyn reference ComEd’s toll free number, and the Village Forester for additional information or concerns.

Lastly, Manager Pilipiszyn announced that the West Cook County Solid Waste Agency is holding a Household Hazardous Waste Collection at Triton College on Saturday, October 20.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

None

8. EXECUTIVE SESSION

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

It was moved by Trustee Langan and seconded by Trustee Kuchler to convene in the first floor conference room for Executive Session to discuss 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 Wolf indicated she meant no disrespect in questioning the position of agenda items.

Trustee Kuchler commended school crossing guards. Trustee Kuchler also commended the Plan Commission and their efforts to enhance the quality of life.

Trustee Palermo believes the information regarding placement of agenda items was a misunderstanding in communication.

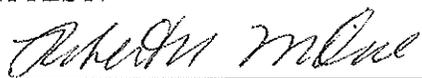
Trustee Horvath encouraged the public to drive slowly and cautiously and pay attention to school zones.

10. ADJOURNMENT

At 8:40 p.m. the meeting was adjourned to the first floor conference room for closed session.

  
Elizabeth M. Asperger, Village President

ATTEST:

  
Robert N. Milne, Village Clerk

  
Approved Date