

MINUTES

VILLAGE OF LA GRANGE

PUBLIC HEARING AND BOARD OF TRUSTEES REGULAR MEETING

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

Monday, April 9, 2007 - 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

The Board of Trustees of the Village of La Grange public hearing and regular meeting was called to order at 7:33 p.m. by President Asperger. On roll call, as read by Village Clerk Robert Milne, the following were:

PRESENT: Trustees Cremieux, Horvath, Langan, Livingston, Pann, and Wolf with President Asperger presiding.

ABSENT: None

OTHERS: Village Manager Robert Pilipiszyn
Village Attorney Mark Burkland
Community Development Director Patrick Benjamin
Finance Director Lou Cipparrone
Public Works Director Ken Watkins
Police Chief Michael Holub
Fire Chief David Fleege
Reporter from the Doings Ken Kuntson

President Asperger explained that there would be a public hearing prior to the regular Village Board meeting this evening.

2. PUBLIC HEARING – FY 2007-08 Operating and Capital Improvements Budget: Referred to President Asperger

President Asperger indicated that notice of this Public Hearing had been posted and published according to State Statute and that the budget document has been available for inspection at the Village Hall and the La Grange Public Library as well as the Village Manager's message which is an executive summary of the budget document posted on the Village website. President Asperger noted the public hearing represents the conclusion of the on-going process by which public

input has been solicited throughout the development of the budget document and asked if anyone in the audience had any oral or written comments or questions on the FY 2007-08 Operating and Capital Improvements Budget. There being none, President Asperger inquired of Village Manager Robert Pilipiszyn if any written comments had been received and was informed no.

At 7:40 p.m. with no additional oral or written comments, it was moved by Trustee Langan and seconded by Trustee Pann to adjourn the public hearing. Approved by unanimous voice vote.

At 7:41 p.m. the Village Board meeting was convened, with the same Village Officials as the Public Hearing being in attendance.

3. PRESIDENT'S REPORT

A. Proclamation – Tree City USA

President Asperger stated that the Village of La Grange has been named a Tree City USA by the National Arbor Day Foundation for the 24th consecutive year and proclaimed April 27, 2007 as Arbor Day. President Asperger thanked the La Grange Garden Club for their active participation in the beautification of the Village and invited the public to celebrate Arbor Day with the planting of a Katsura Tree at the Village Hall. It was moved by Trustee Langan to approve the Proclamation recognizing Arbor Day, seconded by Trustee Cremieux. Approved by unanimous voice vote.

President Asperger congratulated School District 105 and Gurrie Middle School as they celebrate their 50th Anniversary.

Lyons Township High School students will display their art work in the Village Hall Auditorium from April 27 through May 3.

Special thanks to Congressman Lipinski in facilitating the federal transportation bill whereby the Village is expected to receive funds in the amount of \$3.2 million through an executed project agreement with the Illinois Department of Transportation for the parking structure. Also, special thanks to the La Grange Police Department for securing several Illinois Department of Transportation grants for truck and traffic enforcement.

President Asperger explained that the property at 93 S. La Grange Road (former IHOP location) will no longer be available for temporary parking due to the developer beginning the La Grange Pointe project. Notifications and signage will be distributed informing the public to utilize the parking structure.

La Grange Memorial Hospital has advised the Village that they are withdrawing their application to amend their Planned Unit Development to develop a second Medical Office Building. President Asperger explained that the hospital had hoped to develop the second Medical Office Building in order to relocate current tenants from the Professional Office Building which is scheduled to be demolished. The hospital has requested a six month extension for the demolition and the Village has indicated support of their request.

Lastly, in response to Village Board members questions regarding the proposed amendments to the zoning code and to better understand and visualize the objectives and impacts of the amendments, staff and the Village Attorney will conduct mini field trips into residential areas of the Village. Culmination of the field trips is projected for early May and recommendations will be made shortly thereafter.

4. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Mony Chabria, 911 S. Stone inquired if agenda item 5-B, an ordinance regulating discharge of hazardous materials, would impose fines for costs incurred by the Village. Village Attorney Mark Burkland noted that violators would be issued a citation fine and be responsible for costs incurred.

Mr. Chabria expressed his views on agenda item 6-A, an ordinance regulating smoking in public places, noting his support for a complete ban on smoking as adopted by Cook County.

Lastly, Mr. Chabria expressed his views on agenda item 6-B, a contract extension for residential solid waste collection and disposal services. Mr. Chabria is in support of a volume based system for refuse collection and is not opposed to an increase in the cost of stickers, however does not feel that those using the toter system should be exempt from an increase. Mr. Chabria recommended viewing the Environmental Protection Agencies website for more information on recycling and waste reduction.

Mike LaPibus, President of the La Grange Business Association expressed his views on agenda item 6-A, an ordinance regulating smoking in public places, noting the support of the business community for the Village's efforts to adopt a smoking ban ordinance which is fair and balanced.

5. OMNIBUS AGENDA AND VOTE

- A. Approve and Authorize Village President and village Clerk to Execute Village Manager Employment Agreement

- B. Ordinance (#O-07-07) – Regulating Discharge of Hazardous Materials
- C. Resolution (#R-07-04) – Comcast Settlement Agreement
- D. Award of Contract – Water System / High Lift Pump Replacement (waive competitive bidding and authorize agreement with Illinois Pump, Arlington Heights, Illinois - \$20,886)
- E. Advance Purchase – Police Department Squad Cars (waive competitive bidding and authorize staff to purchase seven 2007 Ford Crown Victoria Police Interceptor vehicles from Anderson Ford, Berwyn, Illinois - \$112,638)
- F. Contract – Group Health and Life Insurance Renewal (Blue Cross / Blue Shield for group health insurance and Fort Dearborn for group life insurance effective May 1, 2007)
- G. Consolidated Voucher 070326 (\$505,527.34)
- H. Consolidated Voucher 070409 (\$724,437.43)
- I. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, March 12, 2007

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

Trustee Livingston recused himself from voting on item 5-B due to a conflict of interest. Approved by roll call vote.

Ayes: Trustees Cremieux, Horvath, Langan, Livingston (only items A, C, D, E, F, G, H, and I), Pann, Wolf and President Asperger
Nays: None
Absent: None
Abstain: Trustee Livingston item 5-B

6. CURRENT BUSINESS

- A. Ordinance (#O-07-08) – Regulating Smoking in Public Places: Referred to Trustee Cremieux

Trustee Cremieux explained that in March of 2006 Cook County adopted a “Clean Indoor Air Ordinance” which regulated smoking in all public places and became effective March 15, 2007. The County Ordinance

takes precedence everywhere in Cook County except for those areas that are regulated by an ordinance of another governmental entity. Currently La Grange Village Code is regulated by the Illinois Clean Indoor Air Act, however recently, the Illinois Senate passed a bill that would repeal and replace the Illinois Clean Indoor Air Act with a comprehensive set of no smoking regulations. If passed by the Illinois House, it would become effective January 1, 2008 and would take precedence over all existing local regulations to the extent that they are less restrictive than the State regulations.

Trustee Cremieux noted that the proposed ordinance amending Village Code would regulate smoking in La Grange and would be consistent with the pending State bill with four general exemptions where smoking would be allowed. Those being (1) bar areas of a restaurant when that bar area is partitioned from the remainder of the restaurant and equipped with separate ventilation systems; (2) tobacco dealers; (3) the American Legion Hall; and (4) open air dining areas, not on public sidewalk, that are physically partitioned from other areas. Trustee Cremieux explained that in order to provide time for businesses to comply the proposed ordinance would not become effective until July 1, 2007. Trustee Cremieux provided additional information regarding public announcements, communications with residents and businesses as well as research of neighboring communities.

Trustee Cremieux requested Village Attorney Burkland to clarify adoption of the Village Ordinance as it relates to the future changes in State law. Attorney Burkland noted that the proposed Ordinance is consistent with State law and would allow for efficiency in enforcement.

It was moved by Trustee Cremieux to approve an Ordinance amending Section 96.45 of the La Grange Code of Ordinances to regulate smoking in certain places, second by Trustee Langan. Discussion ensued.

Trustee Cremieux suggested the Ordinance be amended to expire in one year in order for the Board to revisit this issue.

Trustee Horvath expressed concerns regarding partitions and ventilation in businesses where smoking would be permissible. Trustee Horvath is concerned about the effects of second hand smoke and would prefer the Village adopt a complete ban on smoking.

Trustee Pann believes that a complete ban on smoking would not have adverse effects on businesses or restaurants and feels the matter should be revisited on January 1, 2008.

Trustee Wolf inquired if new businesses would be effected and Village Attorney Burkland indicated yes. State law would prevail and the Village could not be less restrictive. Trustee Wolf suggested tabling the matter to allow resident input and President Asperger noted that this item has been widely publicized throughout the Village and has received and taken into consideration comments from residents and businesses.

Trustee Langan believes this is a workable plan and the Board should take action on this item.

Trustee Livingston is in agreement with amending the ordinance to be review on January 1, 2008.

Attorney Burkland noted that Section 96-45 subsection M could be amended to include a sunset date.

It was moved by Trustee Cremieux to amend the motion to approve the Ordinance Regulating Smoking in Public Places with a sunset date of January 1, 2008 added to Section 96-45 subsection M, seconded by Trustee Pann. Approved by unanimous voice vote.

It had been moved and seconded to approve the amended ordinance for Regulating Smoking in Public Places. Approved by 4 to 2 roll call vote.

Ayes: Trustees Cremieux, Langan, Livingston, and Pann
Nays: Trustees Horvath and Wolf
Absent: None

B. Contract Extension – Residential Solid Waste Collection and Disposal Services: Referred to Trustee Wolf

Trustee Wolf explained that the Village's five year single-family solid waste collection and disposal contract with Allied Waste Services which included the Village of La Grange Park, expired on March 30, 2007. The Village is currently operating under an extension until April 30.

In order to continue discussion over the current volume based structure versus a modified volume base to include a minimal billing fee, it is necessary to analyze potential changes in the refuse collection structure. Trustee Wolf noted that a six month contract extension would include all of the provisions in the current contract except for amendments for a rate increase from \$2.90 per sticker to \$3.40 for both refuse and yard waste; new rates to be effective May 1, 2007 until October 31, 2007; no increase for the toter service of \$26.25 per month; and in the event that refuse sticker sales fall below 82,500 at the conclusion of the six month extension, the Village will have the option to independently audit sticker

sales and if necessary offset the shortfall in an amount not to exceed \$25,000. The extension would only be for the Village of La Grange as the Village of La Grange Park has elected to pursue a separate process.

It was moved by Trustee Horvath to approve the contract extension with Allied Waste for residential solid waste collection and disposal services and authorize the Village Manager to execute the contract extension documents, subject to final review by the Village Attorney, seconded by Trustee Cremieux. Approved by roll call vote.

Ayes: Trustees Cremieux, Horvath, Langan, Livingston, Pann and Wolf
Nays: None
Absent: None

C. Resolution (#R-07-05) – Approving the FY 2007-08 Operating and Capital Improvements Budget: Referred to Trustee Horvath

Trustee Horvath stated that a public hearing was held earlier this evening to address written and oral comments regarding the Fiscal Year 2007-08 Operating and Capital Improvements Budget. Trustee Horvath indicated that this is a well developed five-year budget which offers insight into what is expected to occur over the next five years and can be used as a guideline for financial, administrative and operational purposes. Trustee Horvath added that capital expenditures of approximately \$3.2 million are budgeted in FY 2007-08 which consists of \$1.3 million in street improvements, \$925,000 for water and sewer improvements, \$280,000 for street light replacement program debt service, \$175,000 for Central Business District improvements, \$185,000 for parking structure improvements, and over \$250,000 in sidewalk, gutter, pedestrian signals, streetlights, trees, signs and other improvements.

Trustee Horvath commented on several Village revenues which note the Village's ability to offer a high level of public services to the community without creating an added burden on residents via property taxes. Trustee Horvath added that some of these alternate revenues include a non-home rule sales tax which began July 1, 2006; increased sales tax revenues resulting from the TIF Triangle project; and grant funds secured.

President Asperger complimented staff on the evolution of the current Village Budget noting the strength of a comprehensive five year plan. President Asperger also noted the conservative policies provided by the Trustees.

It was moved by Trustee Horvath to adopt the Resolution approving the Fiscal Year 2007-08 Operating and Capital Improvements Budget, seconded by Trustee Cremieux. Approved by roll call vote.

Ayes: Trustees Cremieux, Horvath, Langan, Livingston, Pann and
Wolf
Nays: None
Absent: None

7. MANAGER'S REPORT

Village Manager Robert Pilipiszyn thanked the Village Board for their confidence in his performance as Village Manager by approving his employment agreement.

The Indiana Harbor Belt Railroad has notified the Village that it would be completing some improvements to the railroad tracks at 47th Street and East Avenue beginning April 23. Signs notifying the public of the road closures will be provided by the Indiana Harbor Belt Railroad.

Lastly, Manager Pilipiszyn explained a lawn care buyback program being offered by the West Cook County Solid Waste Agency whereby residents would receive discounts and rebates for turning in their gas powered lawn care items for more environmentally friendly equipment.

8. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

Jim Huff, 32 N. Edgewood expressed concerns that the construction of larger homes may impact the elimination of storm water and encouraged the Board to look carefully at zoning code amendments as they relate to teardowns and new construction.

Carol Mosley, 105 S. Washington expressed her concerns with problems on the East side and requested the Village provide police to patrol the area. President Asperger indicated the Village is aware of issues in the area and encourages residents to contact the Police Department.

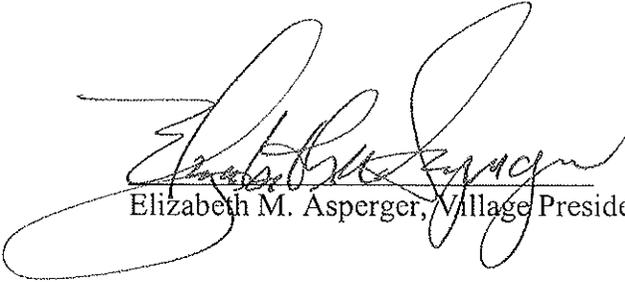
Mony Chabria, 911 S. Stone was complimentary to the Village for posting the Village Manager's message on the Village website. Mr. Chabria is in agreement for proclaiming Arbor Day in the Village and encouraged the Board to adopt a tree protection ordinance.

9. EXECUTIVE SESSION

10. TRUSTEE COMMENTS

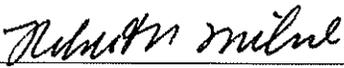
11. ADJOURNMENT

At 9:15 p.m. it was moved by Trustee Langan to adjourn, seconded by Trustee Pann. Approved by unanimous voice vote.

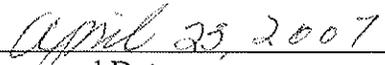


Elizabeth M. Asperger, Village President

ATTEST:



Robert N. Milne, Village Clerk



Approved Date