

MINUTES

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

Monday, November 13, 2006 - 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 7:40 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
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
Police Chief Mike Holub
Fire Chief David Fleege
Suburban Life Reporter Joe Sinopoli
Doings Reporter Ken Knutson

2. PRESIDENT'S REPORT

A. Oat of Office – Firefighter / Paramedic Brian Goodman

President Asperger stated that a vacancy occurred within the Fire Department and the La Grange Board of Fire and Police Commission appointed Brian Goodman. President Asperger welcomed Brian who is a licensed paramedic and scheduled to attend the Firefighter II Training Academy in March to achieve his training certification. Village Clerk Milne administered the Oath of Office to Firefighter/Paramedic Brian Goodman.

B. Employee Recognition – Police Lieutenant William Trzeciak, Armed Robbery Incident

President Asperger recognized Police Lieutenant William Trzeciak for his outstanding performance of duty. Lt. Trzeciak was nominated for a Gallantry Star Award by the members of his own shift, who recognized his valiant effort and immediate response to an armed robbery incident. President Asperger presented the award and Lt. Trzeciak who received recognition and congratulations from the Village Board.

President Asperger congratulated the La Grange Business Association on their successful Halloween Walk along with the Park District on their new recreational facility. President Asperger was pleased by the attendance at the American Legion ceremony honoring Veteran's as well as welcoming home La Grange Police Officer Miles Odom after his extensive tour of duty in Iraq.

President Asperger stated the Plan Commission meeting scheduled on Tuesday, November 14 will continue discussion of zoning code amendments along with considering the medical office building for La Grange Memorial Hospital. The citizen advisory referendum on the November 7 General Election ballot received a favorable outcome. The Village Board will meet in a workshop format on Monday, November 20 to continue discussion of proposed development of Village parking lot 2.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

None

4. OMNIBUS AGENDA AND VOTE

- A. Award of Contract – Replacement of Village Hall Fire Alarm System (Budget Amendment Resolution #R-06-20) – ADT, Oak Brook, Illinois \$32,660
- B. Award of Contract – Police Department / Reconditioning and Upgrade of Pistol Range (Budget Amendment Resolution #4-06-21) – MDS Caswell of Minneapolis, Minnesota \$79,000
- C. Consolidated Voucher 061113 - \$2,619,68.31
- D. Minutes of the Village of La Grange Board of Trustees Town Meeting, Monday, October 23, 2006

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

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

5. CURRENT BUSINESS

- A. Ordinance – Planned Development Final Plan and Design Review Approval to Authorize a Mixed Use Building in the C-1 Central Commercial District, 93 S. La Grange Road, MIDCO La Grange, LLC: Referred to Trustee Langan

Trustee Langan explained that the Village Board considered the La Grange Pointe application on September 11, 2006 at which time several issues between the developers and final approval were apparent. Since that time numerous meetings transpired to negotiate and resolve differences. Trustee Langan requested the Board's indulgence by allowing him to refrain from making a motion until after Midco La Grange, LLC, Inland Real Estate Development, LLC and the Village Board have an opportunity to discuss the outstanding issues.

President Asperger supplemented Trustee Langan's remarks with a brief summary of the project's development. President Asperger explained that the proposed project would consist of a three story building with retail on the first level and independent senior living quarters on the remaining levels. President Asperger added that parking spaces for the residential component did not comply with Village Code, however, as the developer provided data relative to the need for fewer parking spaces, the Village granted a special use as a concession. Although differences remain unsettled, President Asperger stated that the Village is adept to the success of this project as it provides a gateway to the community.

Since there has been a change in ownership, President Asperger noted that the Board directed staff to include language in the development agreement concerning future transfers of ownership in order to protect the Village and the project as was originally proposed. President Asperger invited Mike Firsel of Midco La Grange, LLC to express his comments.

Mr. Firsel clarified ownership percentages and noted that the three items in contention are (1) provisions in the agreement that allow the Village to withhold a certificate of occupancy if the developer is in violation of the agreement; (2) the Village retaining the right to consent to a transfer of interests for one full year after the 15th unit is occupied; and (3) the execution of a transferee assumption agreement.

President Asperger explained that although the Village has no issue with the transfer from MIDCO to Inland Real Estate for financial viability, these documents are consistent with the Village's model development agreement.

Tony Casaccio, President of Inland Real Estate gave an overview of his company having the financial wherewithal and expertise for retail enterprise.

President Asperger reiterated the three issues for Village Board discussion.

Trustee Langan explained that the Village is seeking certain protection in order to ensure a successful project.

Village Attorney Burkland clarified certain issues presented by Trustee Cremieux.

Mr. Firsel believes that the Village is being unreasonable in its request for restrictions relating to withholding certificate of occupancy; retaining the right to consent to a transfer of interests for one year after the 15th unit is occupied; and requiring a transferee assumption agreement. Mr. Casaccio noted that Inland is uncomfortable with these restrictions as well.

Trustee Pann questioned why Inland is objecting to the Village's provisions and Mr. Casaccio indicated that the restrictions would diminish the ability to sell the units. Mr. Casaccio stated that if concessions are not made, Inland would withdraw and Midco would not develop the property. Trustee Pann explained that it is the Board's responsibility to protect this potential development investment.

Trustee Horvath inquired about the term "qualified buyer" and was referred to that portion of the agreement explaining the meaning.

Trustee Livingston questioned the parking ratio and occupancy of similar developments. Mr. Dave Sanders of HB Cambridge explained in great length how other municipalities have been successful with similar senior housing developments and provided documentation on competing facilities occupancy rate information. Trustee Livingston stated that he was not prepared to vote on this item without further study and review.

At 9:15 p.m. President Asperger declared a 5 minute recess.

At 9:30 p.m. President Asperger reconvened the meeting and stated that it appears to be the consensus of the Board to discuss this matter further.

It was moved by Trustee Langan to table the approval of the ordinance for a planned development final plan and design review approval to authorize a mixed use building in the C-1 central commercial district, 93 S. La Grange Road, Midco La Grange, LLC, seconded by Trustee Horvath. Approved by unanimous voice vote.

- B. La Grange Business Association / Our Hometown Holiday – 2006 Christmas Walk Sponsorship: Referred to Trustee Pann

Trustee Pann explained that the December 2, 2006 Hometown Holiday Christmas Walk has always been a positive reflection of the Village of La Grange and brings shoppers into the community. The La Grange Business Association is requesting that the Village co-sponsor the event in an amount not to exceed \$12,000. Trustee Pann explained that the Village's position of sponsorship is marketing the event, which includes newspaper advertisements, posters and the production and mailing of the booklet which lists the activities for the evening. Trustee Pann noted that Ms. Taylor Jaeger, Secretary of the La Grange Business Association is present to answer questions regarding the event.

It was moved by Trustee Pann to support the Hometown Holiday Christmas Walk's cost of advertising and marketing for 2006 in an amount not to exceed \$12,000, with the conditions as outlined in the Village's sponsorship policy, seconded by Trustee Langan.

Approved by roll call vote.

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

- C. Preliminary Review of the Proposed 2006 Property Tax Levy Request: Referred to Trustee Horvath (Resolution #R-06-22)

Trustee Horvath stated that this is a preliminary review of the proposed 2006 property tax levy request and explained that the Truth in Taxation Law requires a preliminary review of the proposed tax levy at least 20 days prior to its adoption if the aggregate levy is more than 5% greater than the preceding year's extension, exclusive of debt service, the Village must hold a public hearing before adopting the proposed property tax levy. Since the proposed Truth in Taxation levy request, excluding debt service, shows a total increase of 4.37% over the prior years' extension, the Village of La Grange is not required to hold a public hearing regarding the 2006 property tax levy. Trustee Horvath indicated the Property Tax Limitation Act limits the increase in property tax extensions, exclusive of

debt service and new property growth, to 5%, or the percent increase of the Consumer Price Index (CIP) whichever is less, the CPI for the 2006 tax levy determined as of December 2005 was 3.4%.

Trustee Horvath noted that the La Grange Public Library is a municipal library not a library district, therefore the library levy is a part of the Village levy. The Library's tax levy request represents an increase of 4.37% over the 2005 property tax levy extension. Trustee Horvath added that the Village files a Special Service Area levy with Cook County to fund on-going maintenance of the Central Business District, however the Special Service area tax levy is not subject to the Truth in Taxation requirements.

At this time the Village is merely announcing the 2006 preliminary tax levy and the ordinance adopting the 2006 tax levy will be presented at the December 11, 2006 Village Board meeting.

Trustee Horvath requested Mr. Tim Sharpe the Village's Actuarial Consultant to elaborate on the history and future of Police and Fire Pension Fund Levies. Mr. Sharpe spoke favorably on the financial position for both funds.

It was moved by Trustee Horvath that the Village Board approve the Resolution announcing the estimated 2006 tax levy of \$6,479,360, exclusive of debt service, which is a 4.37% increase from the 2005 tax levy, seconded by Trustee Langan.

Approved by roll call vote.

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

6. MANAGER'S REPORT

Village Manager Robert Pilipiszyn noted that with the upcoming Thanksgiving Holiday, refuse pick up for Village residents south of 47th Street would be on Friday. As a reminder to the audience the last in a series of three Village Board Town Meetings would be held on November 27 at Seventh Avenue School at which time a presentation on emergency response preparedness will be given.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

Rose Naseef, 911 S. Stone expressed her gratification in the outcome of the citizen advisory referendum. Ms. Naseef believes the message from voters is clear that the majority of residents want to respect the existing environment and

hopes that proposed zoning amendments will seek to further reduce bulk yard space for new construction. President Asperger noted the Village values Ms. Naseef's comments.

Bob Reichel, 641 S. Waiola expressed his on going concerns with the property at 637 S. Waiola Avenue. Mr. Reichel noted issues with the vacant property where excavation has occurred and part of a driveway collapsing. Mr. Reichel believes this to be a dangerous condition and requests the Village to affirm that property owners are in compliance with Village codes. President Asperger thanked Mr. Reichel for bringing this to the attention of the Board and requested Community Development and the Village Engineer to provide thoughtful direction.

Carol Mosley, 105 S. Washington expressed her frustration with problems related to housing on the East side and requested the Village's help. President Asperger indicated the Village is aware of issues in the area and indicated Ms. Mosley work with Police Chief Mike Holub and Community Development Director Patrick Benjamin.

8. EXECUTIVE SESSION

9. TRUSTEE COMMENTS

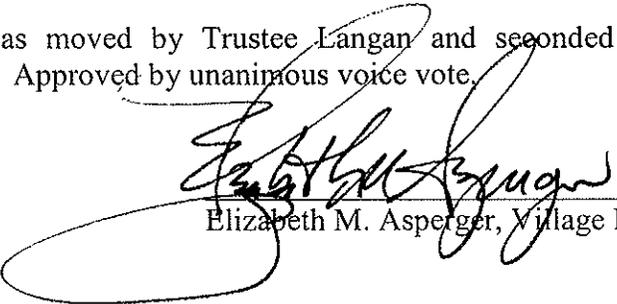
Trustee Langan requested Village Attorney Burkland to advise what the Village could do to mandate issues relating to vacant property and property owners. Attorney Burkland noted that the Village has the power to enact strong protection.

Trustee Cremieux added that the Village may enact police protection regarding property code enforcement issues.

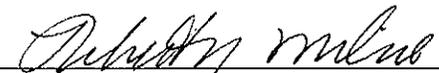
Trustee Horvath noted that he had inadvertently neglected to announce that the tax impact on a home with a market value of \$400,000 would result in an annual increase of \$2 per month.

10. ADJOURNMENT

At 10:00 p.m. it was moved by Trustee Langan and seconded by Trustee Cremieux to adjourn. Approved by unanimous voice vote.


Elizabeth M. Asperger, Village President

ATTEST:


Robert N. Milne, Village Clerk

11/27/06
Approved Date