

MINUTES

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

Monday, July 10, 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 7:30 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
Assistant Community Development Director Angela Mesaros
Finance Director Lou Cipparrone
Public Works Director Ken Watkins
Police Chief Mike Holub
Fire Captain Gary Mayor
Suburban Life Reporter Joe Sinopoli

2. PRESIDENT'S REPORT

President Asperger introduced and welcomed Bill Allen the new Lyons Township High School teacher and Director of LT-TV.

A. Appointment of Village Officials

President Asperger indicated that in accordance with various sections of the Municipal Code, it is necessary to appoint individuals for the positions of Village Prosecutor, Village Treasurer, Village Collector and Village Comptroller. Trustee Langan moved to approve John M. Kenney, Jr. as Village Prosecutor; Louis Cipparrone as Village Treasurer and Village

Collector; and Lawrence Kinports as Village Comptroller, seconded by Trustee Horvath. Approved by unanimous voice vote.

In order to maintain a full compliment on some of the Village's more active Boards and Commissions, President Asperger requested two additional appointments which were not listed on the agenda. Due to health issues, Robert Neuneker, Chairman of the Board of Fire and Police Commission has resigned. President Asperger submitted the appointment of Wayne Vantluka who resides at 219 N. Stone Avenue to fill the vacancy for a three-year term to expire in 2009. It was moved by Trustee Langan to approve the appointment of Wayne Vantluka to the Board of Fire and Police Commission, seconded by Trustee Horvath. Approved by unanimous voice vote.

Due to other commitments, Paul Kralovec has recently resigned from the Zoning Board of Appeals. President Asperger submitted the appointment of Kathy Schwappach who resides at 132 N. Madison Avenue to fill the vacancy for a five-year term to expire in 2011. It was moved by Trustee Langan to approve the appointment of Kathy Schwappach to the Zoning Board of Appeals, seconded by Trustee Cremieux. Approved by unanimous voice vote.

President Asperger thanked both Robert Neuneker and Paul Kralovec for their many years of service and dedication to the Village.

President Asperger expressed her thanks to Dawn Peterson, Michelle Kenney and Jane Booth of the La Grange Garden Club for their plantings and beautification efforts in the public plaza.

Congratulations were expressed to the La Grange Business Association for their successful art and craft fair which was held last weekend.

On June 27 the first public hearing to consider zoning code amendments was held and is continued to tomorrow evening Tuesday, July 11. President Asperger commented on the outstanding presentation and overview at the first public hearing and encouraged residents to bring forth any additional issues, comments or concerns.

In order to enhance and expedite the building permit process and expedite engineering reviews, President Asperger announced that an additional engineer will be at the Village Hall on a weekly basis to perform engineering reviews for residential construction permits in addition to on-going reviews performed throughout the course of the regular work week.

President Asperger announced that the Village frequently receives calls inquiring about parking availability in order to take the train to downtown Chicago. In the

past, these individuals were directed to park in a particular Village lot or decal zone, however the Village is now making the third level of the parking structure available for this purpose. In order to maintain control and deter commuters from utilizing this option, the Village requires a brief form be completed along with a minimal \$2 per day fee and the Village will issue a parking placard to be displayed on the review mirror.

Residents were informed that La Grange Memorial Hospital has opened their new state-of-the-art in-patient care wing.

Lastly, President Asperger announced that as in the past the Village will host Town Meetings in various neighborhoods in the fall. Although a general mailing notification will be sent to residents in August, President Asperger informed the public that the first Town Meeting is scheduled for Monday, September 25 at Ogden Avenue School; the second will be Monday, October 23 at the Community Center; and the third on Monday, November 27 at Seventh Avenue School. Residents are encouraged to attend any one or all of the meetings in order for the Village Board to interact on a more informal basis at a location more convenient for residents.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Edward and Karen King, 349 S. Kensington Avenue explained their request for a variance to enlarge their kitchen area. Although the Zoning Board of Appeals has denied their request, they are hoping the Board of Trustees will reexamine zoning standards and grant the variance.

Rosemary Naseef, 911 S. Stone is in agreement with the Zoning Board of Appeals supporting the code and preserving green space.

Robert Allen, 9601 Ogden Avenue expressed his concern with Section 2 – Item 2 regarding his responsibility to incur the cost of the relocation of the traffic signal should it become necessary as a result of future public improvements. Mr. Allen requested a time frame be set on this matter.

4. OMNIBUS AGENDA AND VOTE

- A. Ordinance (#O-06-19) – Consolidation of Lots / Carolyn M. Blum, 221 S. Stone Avenue
- B. Ordinance (#O-06-20) – resubdivision of Lots, 32 N. Brainard Avenue
- C. Ordinance (#O-06-21) – Abatement of Tax Levies / 1998 Residential Street Light Bonds

- D. Professional services Agreement – Parking Structure Sealant (Kelmar) – Matocha Associates, Oakbrook Terrace, Illinois in an amount not to exceed \$35,500.
- E. Quotes – Brick Pavers (Unilock Paver, Aurora, Illinois the sole supplier, \$11,404)
- F. Quotes – Brick Paver Installation (Prairie Path Pavers, La Grange, Illinois not to exceed \$68,596)
- G. Consolidated Voucher 060626 - \$482,606.56
- H. Consolidated Voucher 060710 - \$382,402.61
- I. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, June 12, 2006

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. 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 (#O-06-22) – Variation – Maximum Building Coverage / Edward and Karen King, 349 S. Kensington Avenue: Referred to Trustee Langan

Trustee Langan noted that the request for a variation of maximum building coverage made by the Kings was denied by the Zoning Board of Appeals with two ayes and three nays, at least four ayes are required to decide in favor of any application.

Trustee Langan discussed the fact that Zoning Board members determined the request from the Kings for a variation of building coverage was not necessary for a reasonable use of the subject property and protection of green space is a major concern of the Village. Zoning Board members felt they must uphold the intent of the Zoning Code.

It was moved by Trustee Langan to support the Zoning Board of Appeals decision and deny the request for a variation of maximum building coverage, seconded by Trustee Cremieux.

Trustee Livingston believes the request for a variation is reasonable and should be approved.

Trustee Cremieux believes the Zoning Board of Appeals looked at the request very carefully and has followed their guidelines, however Trustee Cremieux feels the petitioner should not be penalized for having a detached garage and is supportive of their request for a variation to enlarge their kitchen area.

Trustee Horvath agrees that the variation is a modest request and should be approved.

Trustee Langan believes in continuity and supports the Zoning Board of Appeals decision to deny the variation.

Trustee Wolf would be in favor of granting the variation conditioned upon the petitioner agreeing to leave the porch area open.

President Asperger noted it had been moved and seconded to deny the variation and explained that a yes vote would be to deny the variation and a no vote would be to grant the variation. Motion to deny the variation fails by a 5 to 1 vote.

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

President Asperger requested Village Attorney Burkland clarify procedures for revised wording to the Ordinance. Attorney Burkland noted that the Ordinance for a variation could be approved subject to an additional restrictive covenant stating the front porch remain open and the Village President not sign until the covenant is executed. The Kings had no objections.

It was moved by Trustee Livingston to approve the Ordinance to grant the variation for maximum building coverage subject to a covenant restricting the enclosure of the front porch and the Village President not signing until revised, seconded by Trustee Horvath. Variance approved subject to conditions by a 5 to 1 vote.

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

- B. Ordinance (#O-06-23) – Variation – Maximum Building Coverage /Jacquie and Jim Gove, 437 S. Catherine Avenue: Referred to Trustee Langan

Trustee Langan stated that this request is similar to the previous and has also been denied by the Zoning Board of Appeals with four nay votes, zero aye votes and one abstained vote due to a conflict of interest.

Trustee Langan discussed the fact that Zoning Board members determined the request from the Goves for a variation of building coverage did not meet the minimum requirements necessary for a reasonable use of the subject property.

It was moved by Trustee Langan to support the Zoning Board of Appeals decision and deny the request for a variation of maximum building coverage, seconded by Trustee Cremieux.

Trustee Cremieux does not feel residents who want to invest in the community should be punished in the calculations of maximum building coverage because of a detached garage and since the Gove's neighbors are not opposed to the variation, Trustee Cremieux noted his support to approve the variation.

Trustee Horvath believes it is a reasonable request and is also in favor to approve the variation. Trustee Horvath clarified that a yes vote would be to accept the recommendation of the Zoning Board of Appeals to deny the variance and a no vote would be to reject the denial by the Zoning Board of Appeals.

Trustee Livingston noted his vote would be against approving the denial.

It had been moved and seconded to deny the variation. Motion to deny the variation fails by a 5 to 1 vote.

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

It was moved by Trustee Horvath to approve the Ordinance to grant the variation for maximum building coverage, seconded by Trustee Wolf.

Trustee Cremieux inquired if the front porch were enclosed and was informed yes.

It had been moved and seconded to approve the Ordinance to grant the variation for maximum building coverage. Variance approved by a 4 to 2 vote.

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

- C. Ordinance (#O-06-24) – Variation of Right-of-Way to Develop a Strip Shopping Center in the C-4 Convenience Commercial District, 9601 Ogden Avenue, Robert Allen: Referred to Trustee Pann

Trustee Pann explained past ownership and development proposals for the property in question noting that the current proposal to develop a strip shopping center would not be viable without the proposed vacation of the dedicated right-of-way adjoining the southeast corner of the subject property. Trustee Pann added that in September 2005, the Village Board passed a resolution remanding the requested vacation to the Plan Commission for further consideration and to hold the requisite public hearing.

After much discussion, a site traffic analysis and site plan revisions, the Commissioners determined that the vacation of the dedicated public right-of-way is necessary for construction of the strip shopping center and recommended to the Village Board approval with stipulated conditions. In February 2006 the Design Review Commission held a public meeting for the proposed shopping center and thereafter forwarded its recommendation to the Village Board. Trustee Pann noted that State Statute requires a three-fourths majority roll call vote for approval.

Trustee Pann moved to approve the ordinance for Vacation of Right-of-Way subject to final design approval by the Village Manager of the northeast corner of the subject property, seconded by Trustee Langan.

Village Attorney Burkland addressed Mr. Allen's previous inquiry regarding Section 2 – Item 2 of the ordinance indicating revised language would place a five year limitation on Mr. Allen's responsibility to incur the cost of the relocation of the traffic signal should it become necessary as a result of future public improvements. Mr. Allen was in agreement.

Trustee Horvath inquired about the signage and President Asperger noted the Village Manager would work with the applicant.

Trustee Cremieux expressed his gratitude to the Plan Commission and staff for their hard work in finalizing this exceptional opportunity for improvement to this area.

It had been moved by Trustee Pann to approve the ordinance for Vacation of Right-of-Way subject language revisions and final design approval by the Village Manager, seconded by Trustee Langan. Approved by roll call vote.

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

- D. Ordinance (#O-06-25) – Design Review Permit (DRP) #68 – 9601 Ogden Avenue, Robert P. Allen: Referred to Trustee Pann

Trustee Pann explained that along with approval of the vacation of right-of-way, the applicant is required to obtain a Design Review Permit. Mr. Allen appeared before the Design Review Commission and after much discussion the Commission unanimously approved the recommendation.

Trustee Pann moved to approve the ordinance granting a Design Review Permit for 9601 Ogden Avenue, seconded by Trustee Langan.

Trustee Horvath inquired about the color of the brick and Community Development Director Patrick Benjamin explained that would be subject to staff approval.

Approved by roll call vote.

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

6. MANAGER'S REPORT

Village Manager Pilipiszyn indicated that the Ashland Avenue railroad crossing is in need of repairs. Burlington Northern Santa Fe has tentatively scheduled the repairs to take place August 10 through 17 at which time the crossing will be closed. Alternative roads will be Kensington Avenue or La Grange Road and advance warning and detour signage will be posted by the Burlington Northern. The Village will provide additional information to the public once scheduling is confirmed.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

Jim Bergschneider, 920 S. Spring Avenue expressed his safety concerns for adults who run or walk on the streets and the negative example it sets for children to see these unsafe actions.

Rosemary Naseef, 911 S. Stone expressed her concerns with the approval to the variations for maximum building coverage as reasonable requests. Ms. Naseef noted that the Zoning Board of Appeals followed code guidelines by denying the request. Ms. Naseef stated that once green space is eliminated it is not retrievable.

President Asperger responded that amendments to the zoning code, which are currently under consideration, are complex and suggested Ms. Naseef confer with Village Attorney Burkland and/or Community Development Director Patrick Benjamin either in person or via phone to address her concerns.

Bill Leonhard, 231 S. Sixth expressed his concerns with the Kelmar sealant for the parking structure and competitive pricing. President Asperger noted that the Village is and has been pleased with the consulting services and recommendations from Matocha Associates for the parking structure.

8. EXECUTIVE SESSION

A. Closed Session – Probable or Imminent Litigation

It was moved by Trustee Langan and seconded by Trustee Cremieux to convene in Executive Session to discuss probable or imminent litigation.
Approved by roll call vote.

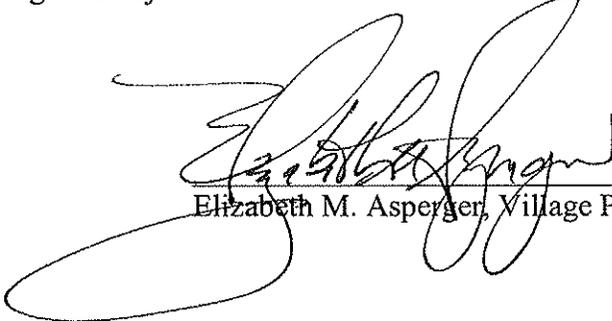
Ayes:	Trustees Cremieux, Horvath, Langan, Livingston, Pann and Wolf
Nays:	None
Absent:	None

9. TRUSTEE COMMENTS

None

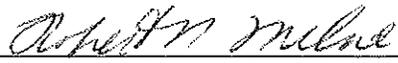
10. ADJOURNMENT

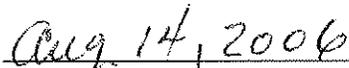
At 8:50 p.m. the meeting was adjourned to the lower level conference room for closed session.



Elizabeth M. Asperger, Village President

ATTEST:


Robert N. Milne, Village Clerk


Approved Date