

MINUTES

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

Monday, July 11, 2005 - 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 7:35 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
Utilities Superintendent Mike Bojovic
Village Planner Angela Mesaros
Building Inspector Rich Urban
Doings Reporter Ken Knutson

2. PRESIDENT'S REPORT

A. Recognition – Police Department Employees and Others Assisting In Multi-Jurisdictional Drug Investigation

President Asperger stated the Village Board's pride in the dedication and exemplary service of the Police Department and requested Police Chief Michael Holub to introduce those individuals who participated in the successful multi-jurisdictional drug investigation.

Chief Holub explained that meetings and input within the community led to a coordinated, multi-jurisdictional drug investigation which resulted in numerous arrests.

Chief Holub recognized Assistant States Attorneys Peter Troy and Lisa Smith, Joe Renc of the La Grange Park Police Department, along with Tactical Officers from the Village of Summit for their assistance.

Chief Holub announced that Lieutenant Chris Noel, Sergeant Marge Kielczynski, Officer Patrick Fulla, Telecommunication Operators Holly Seymour, Kathy Lockwood, Therese Biesek, Patricia Donovan, Mary Sanders and Kristen Cash would receive Letters of Commendation.

Unit Citations were awarded to Lieutenant William Trzeciak, Sergeant Renee Strasser, Officer Brian Beaver, Officer Steve Kneifel, Investigator Steve Ljubenko, Officer Tom Murphy, Officer Dave Rohlicek, Officer Craig Balon, Officer Jim Joseph, Officer Ken Uher, Officer Rob Wardlaw, and Officer Jerry Moncivatis.

Lastly, Chief Holub awarded Meritorious Service to Sergeant Tom Cimbalista and Officer Randy Pacana.

On behalf of the residents of La Grange, President Asperger, the Village Board of Trustees and the audience applauded all involved in this endeavor.

President Asperger congratulated Village Trustee Mark Langan on his new position as Executive Director of the Rich Port YMCA.

The Arts and Crafts Fair held on July 9 and 10, sponsored by the La Grange Business Association was well attended.

President Asperger thanked the La Grange Country Club for their fireworks display over the 4th of July.

The Library Board has requested a continuance of their Planned Unit Development Public Hearing before the Plan Commission from July 12 to August 2. This will be a public workshop session.

The Park District Public Hearing before the Plan Commission will be held on August 9.

On Saturday, July 16, the La Grange Border's Book Store will be extending its hours and has requested temporary road closure to accommodate patrons who have reserved a copy of the to be released Harry Potter book.

President Asperger noted that two restaurant establishments, Café 36 and Maison, have temporarily closed. It is hoped that they will re-open soon. President Asperger added that the Village has offered to advise these business on how they could possibly revitalize themselves.

The Chicago Tribune has given excellent reviews for La Pinta Restaurant located in La Grange.

Lastly, President Asperger noted with the successful adoption of the Comprehensive Plan it was apparent that several zoning codes need review. An Advisory Task Force will be assembled to receive input on zoning codes to make appropriate changes.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Tim and Stephanie Beale and their architect stated their availability to answer any questions the Board may have regarding their request for a variation of Maximum Building Coverage requirements.

Colin Robertson stated his availability to answer any questions the Board may have regarding his request for a variation for a front yard setback.

4. OMNIBUS AGENDA AND VOTE

- A. Ordinance (O-05-19) – Design Review Permit (DRP) #65 – 703 West Hillgrove, Ari Smejkal
- B. Intergovernmental Agreement – Between the Village of La Grange and the Illinois Department of Transportation (IDOT) – Maintenance of State Roads (For the period July 1, 2005 to June 30, 2015.)
- C. Purchase – Public Works Department / Replacement Dump Truck - (Prairie International of Springfield, Illinois net total cost \$72,712)
- D. Purchase – Fire Department / Replacement Radios – (Kara Company, Inc. of Countryside, Illinois \$20,249.88)
- E. Purchase – Police Department / Replacement of Parking Enforcement Vehicle (Voss Equipment, Inc. of Harvey, Illinois net total cost of \$19,780.94)
- F. Award of Contract – Public Works Facility / Roof Repairs and Replacement (Clark Roofing of Broadview, Illinois \$46,256)

- G. Agreement – Installation of Pedestrian Gates, Gilbert Avenue Grade Crossing (Intergovernmental Agreement with Village of Western Springs and the Burlington Northern Santa Fe Railroad)
- H. Consolidated Voucher 050627 - \$685,944.37
- I. Consolidated Voucher 050711 - \$1,491,087.82
- J. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, June 13, 2005

It was moved by Trustee Pann to approve items A, B, C, D, E, F, G, H, I and J of the Omnibus, seconded by Trustee Langan. 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 – Variation – Maximum Building Coverage / Timothy and Stephanie Beale, 444 S. 8th Avenue: Referred to Trustee Langan

Trustee Langan explained that Timothy and Stephanie Beale have applied for a variation from Maximum Building Coverage requirements in order to make additions and improvements to their home rather than demolition. Trustee Langan noted that at least four aye votes are required to decide in favor of any application and at the Zoning Board of Appeals Public Hearing, the motion to recommend that the variation be granted as requested failed with three ayes and two nays.

Trustee Langan added that criteria for establishing a particular hardship or practical difficulty which the applicant must address are: unique physical condition; not self-created; denied substantial rights; not merely special privilege; code and plan purposes; essential character of the area; and no other remedy.

It was moved by Trustee Langan and seconded by Trustee Cremieux to deny the variation.

Mr. Mike Davenport, the architect for the Beales stated that if the current structure were demolished a new larger structure would be in compliance with code, however the Beales would prefer not to tear down but rather

preserve what is there. Mr. Davenport added that in his professional opinion it is a good balance in terms of investment and economics.

Trustee Cremieux, although in favor of preservation, expressed his concerns with the massive impact and believes a better design would suit adjoining properties.

Trustee Livingston questioned what hardship would be incurred and the architect indicated the cost price of the house economically would represent a hardship.

Trustee Horvath noted his familiarity with other renderings and queried the large room sizes. The architect believes they are standard for new home construction.

Trustee Langan expressed concern with drainage. The architect indicated at this time, the topographical issue was not addressed. Trustee Langan asked what the Zoning Board of Appeals considers to be the typical maximum lot coverage. Community Development Director Patrick Benjamin noted historically he does not recall approval of anything quite this size.

It had been moved and seconded to deny the variation. Motion to deny approved by 5 to 1 roll call vote.

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

President Asperger invited the Beales to work with staff regarding modifications which would fall within maximum lot coverage.

- B. Ordinance (Ordinances #O-05-20 and #O-05-21)– Variations – Maximum Building Coverage and Side and Rear Yard Regulations for Accessory Structures / Gordon and Carla Schils, 39 North Park Road: Referred to Trustee Langan

Trustee Langan explained that the Schils applied for variations from maximum building coverage and side and rear yard setback requirements in order to construct a detached garage. Trustee Langan added that after a public hearing was held, the Zoning Board of Appeals voted unanimously to recommend the variation from maximum building coverage be granted, however the recommendation variation from side and rear yard setbacks failed with two ayes and three nays. Trustee Langan further explained that accessory structures must be setback a minimum of 3' from the side and rear lot lines, however currently the detached garage is setback

approximately 1.1' and the petitioners propose to rebuild the garage in its present location, therefore the needed variation.

It was moved by Trustee Langan to approve the ordinance authorizing the variation from maximum building coverage, seconded by Trustee Cremieux.

Trustee Horvath believes this would be appropriate. Trustee Cremieux also believes the request is acceptable. Trustee Wolf concurred.

It had been moved and seconded to approve the ordinance authorizing the variation from maximum building coverage. Approved by roll call vote.

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

Trustee Langan moved to deny the side and rear yard setback, seconded by Trustee Horvath.

Trustee Livingston noted he would vote nay to denying the setbacks elaborating on the difficulty encountered with the placement of garages on lots in this neighborhood.

Trustee Horvath inquired if the 3' setback was from the concrete slab and Community Development Director Benjamin indicated yes.

It had been moved and seconded to deny the side and rear year setback. Motion to deny failed by 5 to 1 roll call vote.

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

It was moved by Trustee Cremieux to grant the requested variation, seconded by Trustee Pann. Approved by 5 to 1 roll call vote.

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

- C. Ordinance (#O-05-22) -- Variation -- Front yard Setback / Colin and Cheryl Robertson, 344 S. Stone Avenue: Referred to Trustee Langan

Trustee Langan noted that the required front yard setback is 35' and the request made by the Robertsons for 20' was denied by the Zoning Board of Appeals with two ayes and two nays, at least four ayes are required to decide in favor of any application.

Trustee Langan discussed the fact that Zoning Board members noted that if the Village Board agrees to allow homes to be built with a setback less than that which is required, a text amendment to the Zoning Code would be more appropriate than considering individual zoning variations requests.

Trustee Langan moved to approve the Ordinance authorizing the variation, seconded by Trustee Cremieux.

Trustee Wolf indicated her inspection of the property prior to demolition and believes the design of the new home will blend with the character of the community.

Trustee Cremieux indicated his belief that the variation be restricted so that the front porch remain an open porch.

It was moved by Trustee Cremieux to amend the motion to approve the Ordinance authorizing the variation, that if granted, the front porch remains open and may not be enclosed in the future, seconded by Trustee Livingston. Approved by unanimous voice vote.

Discussion ensued with the architect and keeping the design in context with the neighborhood.

It had been moved and seconded to amend the wording to require that the porch be and remain open. Approved by 6 to 0 roll call vote.

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

It had been moved and seconded to approve the amended ordinance for a variation. Approved by 5 to 1 roll call vote.

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

- D. Resolution (#R-05-14) – Declaration of Official intent regarding Reimbursement of Capital Expenditures from Proceeds of a Debt Obligation: Referred to Trustee Wolf

Trustee Wolf explained that the Village budget provides for the issuance of \$4.5 million of TIF bonds to partially fund the construction of the parking structure and that staff has been working with financial consultant Phil McKenna from Kane, McKenna Capital, Inc. to coordinate the bond issue process. Trustee Wolf introduced Mr. McKenna and requested he elaborate on the process.

Mr. Mc Kenna indicated this is the start of the process to examine various options and that no commitment was being made by the Village Board by adoption of this resolution. The objectives for financing this project would be to: (1) have the least possible risk to tax payers, (2) seek the lowest interest rate and (3) provide for flexibility should other sources of funds become available.

Mr. McKenna discussed the differences between TIF Revenue Bonds and TIF Alternate Revenue Bonds, including offsetting features. It has been the Village's past practice to issue TIF Revenue Bonds because it limits the risk to the TIF District rather than pledging the full faith and credit of the entire Village. Mr. McKenna estimates a rate of 3.85%. It was his professional opinion that the Village would be best served by issuing TIF Revenue Bonds, especially because of the early call provision; an option which is not possible with alternate revenue bonds.

It was moved by Trustee Wolf to approve the resolution declaring the official intent of the Village regarding capital expenditures related to the construction of the parking structure to be reimbursed from debt obligations in an amount not to exceed \$4,500,000, seconded by Trustee Cremieux.

Trustee Pann recused himself from voting on this issue.

Approved by 5 to 0 roll call vote.

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

6. MANAGER'S REPORT

Village Manager Robert Pilipiszyn announced that due to public improvements to upgrade and relocate overhead utility lines to underground, the Village Hall and

surrounding areas would be without power for several hours during the process. Mr. Pilipiszyn added that effected residences and businesses have been notified.

Mr. Pilipiszyn noted that street resurfacing projects are on schedule and residents have and will continue to be informed of improvements in their areas.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

None.

8. EXECUTIVE SESSION

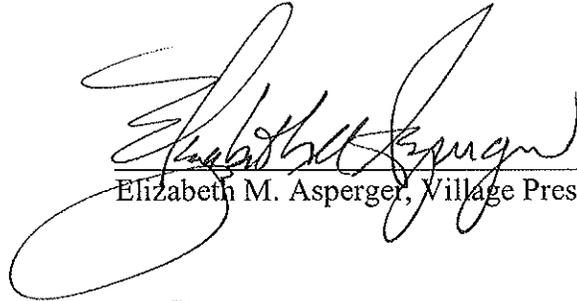
9. TRUSTEE COMMENTS

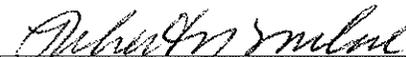
Trustee Livingston commented on the drought conditions and questioned if sprinkling ordinances are being enforced. Public Works Director Ken Watkins explained that sprinkling times and dates are published on cable, the Village's website and in the Village Spokesman, however at this time, no tickets are being issued.

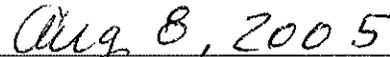
10. ADJOURNMENT

At 9:20 p.m. it was moved by Trustee Langan and seconded by Trustee Livingston that the Village Board adjourn. Motion carried by unanimous voice vote.

ATTEST:


Elizabeth M. Asperger, Village President


Robert N. Milne, Village Clerk


Approved Date