

Village of La Grange



VILLAGE BOARD TOWN MEETING

MONDAY, NOVEMBER 27, 2006

7:30 p.m.

Seventh Avenue School Gymnasium
701 Seventh Avenue
La Grange, IL 60525

Elizabeth M. Asperger
Village President

Robert N. Milne
Village Clerk

VILLAGE OF LA GRANGE
BOARD OF TRUSTEES TOWN MEETING

Seventh Avenue School Gymnasium
701 Seventh Avenue
La Grange, IL 60525

AGENDA

Monday, November 27, 2006 – 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

*President Elizabeth Asperger
Trustee Richard Cremieux
Trustee Mike Horvath
Trustee Mark Langan
Trustee Tom Livingston
Trustee Nicholas Pann
Trustee Barb Wolf*

2. PRESIDENT'S REPORT

This is an opportunity for the Village President to report on matters of interest or concern to the Village.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

This is the opportunity for members of the audience to speak about matters that are included on this Agenda.

4. OMNIBUS AGENDA AND VOTE

Matters on the Omnibus Agenda will be considered by a single motion and vote because they already have been considered fully by the Board at a previous meeting or have been determined to be of a routine nature. Any member of the Board of Trustees may request that an item be moved from the Omnibus Agenda to Current Business for separate consideration.

- A. Intergovernmental Agreement – Cossitt School Teacher Parking
- B. Resolution – Joint Application for Grant Funds with La Grange Park / Emergency Services and Disaster Planning – Supplemental Outdoor Warning Siren System
- C. Consolidated Voucher 061127
- D. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, November 13, 2006

5. CURRENT BUSINESS

This agenda item includes consideration of matters being presented to the Board of Trustees for action.

6. MANAGER'S REPORT

This is an opportunity for the Village Manager to report on behalf of the Village Staff about matters of interest to the Village.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

This is an opportunity for members of the audience to speak about Village related matters that are not listed on this Agenda.

8. EXECUTIVE SESSION

The Board of Trustees may decide, by a roll call vote, to convene in executive session if there are matters to discuss confidentially, in accordance with the Open Meetings Act.

9. TRUSTEE COMMENTS

The Board of Trustees may wish to comment on any matters.

10. ADJOURNMENT

The Village of La Grange is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions, regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (708) 579-2315 promptly to allow the Village to make reasonable accommodations for those persons.

OMNIBUS VOTE

VILLAGE OF LA GRANGE

BOARD REPORT

TO: Village President, Village Clerk, Board of Trustees, and Village Attorney

FROM: Robert Pilipiszyn, Village Manager
Andrianna Peterson, Assistant Village Manager

DATE: November 27, 2006

RE: **INTERGOVERNMENTAL AGREEMENT - COSSITT SCHOOL
TEACHER PARKING**

As the student population at Cossitt School has steadily increased in recent years, so has the need for additional teachers, creating a shortage of parking for teachers at Cossitt School. The overflow of teachers has resulted in the occupancy of on-street spaces in the Central Business District (CBD), consequently taking valuable shopper parking out of service.

Over the past year, we have been working closely with School District 102 Superintendent Mark Van Clay and Cossitt School Principal Mary Tavegia, evaluating existing conditions and examining options. We also solicited input from the La Grange Business Association (LGBA). At the request of the LGBA, we have attempted to reconfigure the parent queue in an effort to recapture the on-street shopper parking spaces on Madison and Harris Avenues which are functionally not accessible to shoppers during the day when school is in session.

As a result of this long and exhaustive analysis, we have reached a joint solution to this parking dilemma, while maintaining a safe and efficient environment around the school. That solution has been memorialized in an intergovernmental agreement which is attached for your consideration. In summary, the terms of the agreement are as follows:

- 1) The Village will create approximately 9 on-street teacher decal parking spaces on the west side of Ashland Avenue, and, if feasible, 2-3 additional spaces on the east side of Ashland (implement immediately)
- 2) The Village will change the 8 diagonal spaces on the west side of Madison Avenue closest to Cossitt Avenue, into 5 parallel spaces and designate them for school use (implement January, 2007)
- 3) The Village will reimburse the District for CBD employee decal fees paid for 2006-07 and waive fees for newly created teacher decal spaces

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- 4) District 102 will expand its existing teacher parking lot on Ashland Avenue to create about an additional 10 spaces (Summer, 2007)
- 5) District 102 will make available for use by shoppers during non-school hours, all parking spaces utilized by school staff; including evening hours when school events are not taking place, as well as during breaks and summer recess
- 6) District 102 will allow use of the playground during LGBA events and Village events that do not conflict with school curriculum
- 7) District 102 will allow use of the parking facilities and playground lot for major events sponsored by individual businesses
- 8) The Village will clean the playground after it is utilized for special events
- 9) The Village will insure School District 102 for the use of their parking facilities and playground; LGBA and individual businesses will indemnify the District during their special events.

Access to Madison Avenue during the day when the parent queue is in operation, remains a concern for the LGBA. We will continue to evaluate this matter in cooperation with School District 102 to determine if any long term solutions can be implemented.

It is our recommendation that the agreement be approved. Assuming Village Board concurrence, the District 102 Board of Education will consider this agreement at their regular meeting on Thursday, December 14, 2006.

4-A.1

AN AGREEMENT BETWEEN THE VILLAGE OF LA GRANGE
AND ILLINOIS ELEMENTARY SCHOOL DISTRICT 102
RELATED TO PARKING MATTERS

This intergovernmental agreement ("Agreement") is made by the VILLAGE OF LA GRANGE, an Illinois municipal corporation, (the "Village") and ILLINOIS ELEMENTARY SCHOOL DISTRICT 102, an Illinois public school district (the "District");

WHEREAS, the Village and the District have authority to enter into this Agreement pursuant to Article VII, Section 10 of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

WHEREAS, the Village and the District have been studying matters at Cossitt School related to the safety and efficiency of parking and pedestrian and vehicular movements and related to the opportunities for use of certain Cossitt School facilities for certain events; and

WHEREAS, the Village and the District desire to make changes to the current parking and traffic movements in the area of Cossitt School and to memorialize the opportunities for use of certain Cossitt School facilities, in the manner provided in this Agreement;

NOW, THEREFORE, IT IS HEREBY AGREED between the parties as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Agreement as specific terms of this Agreement.

Section 2. Adjustments to On-Street Parking and Teacher Parking Lot. The Village and the District will undertake changes to various parking spaces as provided in the following subsections:

- A. Village Addition of Ashland Avenue Teacher Parking. The Village will create approximately 9 on-street parking spaces in certain locations on the west side of Ashland Avenue between Harris Avenue and Cossitt Avenue. The Village will create 2-3 additional on-street parking spaces on the east side of Ashland Avenue only if it can be accomplished in a safe and efficient manner as determined by the Village. Those parking spaces will be reserved as Cossitt School teacher decal spaces when school is in session.
- B. Village Conversion of Madison Avenue Diagonal Spaces. The Village will convert the 8 existing diagonal parking spaces on the west side of

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Madison Avenue closest to Cossitt Avenue into 5 parallel parking spaces. Those 5 parking spaces will be designed for school use when school is in session.

- C. Village Waiver and Reimbursement of Certain Permit Fees. The Village will waive the parking permit fees for the District for on-street parking, and the Village will reimburse such fees the District has paid for 2006 permits and thereafter (if any).
- D. District Expansion of Ashland Avenue Teacher Lot. The District will expand its existing Cossitt School teacher parking lot off of Ashland Avenue to create approximately 10 additional parking spaces within that lot. Expansion of the lot is anticipated in the summer of 2007.

A general depiction of the changes provided in the preceding subsections is attached to this Agreement as Exhibit A.

Section 3. Uses of Certain Cossitt School Facilities. The District shall allow use of certain Cossitt School facilities as provided in the following subsections:

- A. Off-Hour Use of Teacher Parking Spaces. During (i) non-school hours (including evening hours when there is no Cossitt School activities), (ii) school days off, and (iii) summer recesses, the District shall make available for use by the general public (typically shoppers) all parking spaces used by Cossitt School staff.
- B. Non-Conflicting Uses of Playground. The District shall allow use of the Cossitt School playground during LGBA events and during Village events and Village-sponsored events when such uses do not conflict with scheduled school uses, activities, or events.
- C. Non-Conflicting Uses of Parking Lots and Playground for Major Events. The District shall allow use of the Cossitt School parking facilities and playground for major public events sponsored by an individual business or organization and recommended by the Village when such an event does not conflict with a scheduled school use, activity, or event.

The Village shall be responsible for proper maintenance and clean-up related to Village events and Village-sponsored events. The District may set reasonable standards for use, maintenance, and clean-up for events conducted by the LGBA or others as provided in this Section 3.

Section 4. Insurance; Indemnification. The Village shall cause its insurance to extend to and cover the District for all uses of the District's parking facilities and playground by the Village. All uses of the District's parking facilities and playground by the LGBA and individual businesses for major public events shall be insured by the LGBA or such individual businesses as appropriate, and the LGBA and such individual businesses shall indemnify the District against liability, damage, and loss related to such major public events.

Section 5. Term of Agreement. This Agreement shall be for a term of one year, commencing December 15, 2006. This Agreement shall be extended automatically for additional terms of one year each unless the Village or the District shall provide written notice to the other party of termination of this Agreement at the end of the then-current term. Such notice shall be provided not less than 90 days prior to the end of the then-current term.

Section 6. Termination. This Agreement may be terminated at any time by written agreement of the Village and the District. This Agreement may be terminated by the Village or the District because of breach by the other party; provided, however, that the terminating party shall give the other party written notice not less than 30 days in advance of such termination, during which 30-day period the other party shall have the opportunity to cure the breach.

Section 7. Validity. If any term or provision of this Agreement or the application of it to either party or any circumstance shall be invalid or unenforceable to any extent, then the remainder of that term or provision or the application of it to the parties or to circumstances other than those to which it is held invalid or unenforceable shall not be affected.

Section 8. Entire Agreement. This Agreement contains the entire agreement of the Village and the District in regard to the matters stated in this Agreement.

WHEREFORE, the Village and the District have caused this Agreement to be executed by their properly authorized representatives.

VILLAGE OF LA GRANGE

By: _____
Village President

Attest: _____
Village Clerk

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ILLINOIS ELEMENTARY SCHOOL DISTRICT 102

By: _____
President

Attest: _____
Secretary

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EXHIBIT A

GENERAL DEPICTION OF SECTION 2 CHANGES
TO PARKING SPACES

[to be added]

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VILLAGE OF LA GRANGE
Administrative Offices

BOARD REPORT

TO: Village President, Village Clerk, Board of Trustees, and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Andrianna Peterson, Assistant Village Manager

DATE: November 27, 2006

RE: **RESOLUTION – JOINT APPLICATION FOR GRANT FUNDS
WITH LA GRANGE PARK/EMERGENCY SERVICES AND
DISASTER PLANNING – SUPPLEMENTAL OUTDOOR
WARNING SIREN SYSTEM**

Several years ago, PrimeCo (now U.S. Cellular) brought forth a lawsuit against the Illinois Commerce Commission and a subclass of municipal defendants (which included the Village of La Grange) claiming that municipalities has no statutory ability to assess infrastructure maintenance fees (IMF) on wireless telecommunication providers. The case was litigated and eventually settled. A Settlement Fund was subsequently established.

About one year ago, the Village Board authorized the Village's contribution to the Fund, which was equal to 70% of the IMF fee collected during the disputed time period. The contribution for the Village of La Grange was \$74,465.74. Contributions from municipalities paid into the Settlement Fund were to be subsequently distributed as follows: 60 percent for emergency 911 telecommunication programs and 40 percent for hospitals, trauma centers and emergency care facilities.

The Village has recently been notified that it can access those settlement funds in the form of a competitive grant application. As regional projects are given high priority, we suggested to La Grange Park that we share in the cost of an outdoor warning siren that can serve both communities. La Grange Park Village management was receptive to this idea and took the lead in preparing a joint application. Chief Fleege provided considerable assistance to La Grange Park in this matter by sharing our knowledge and recent experience in purchasing a replacement outdoor warning siren system earlier this year.

The siren will be installed at La Grange Park's Fire Station No. 1, 447 N. Catherine Avenue. This warning siren will not only provide coverage to the two isolated pockets in La Grange which cannot be reached by the Waiola siren, but will also serve to provide some measure of redundancy should the Waiola siren fail.

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It is estimated that the siren will cost approximately \$19,000 and it is recommended that the Village's equally split the cost. Therefore, the Village's portion of the grant request would be \$9,500. No matching funds from the Village are required.

A resolution authorizing the Village (in conjunction with La Grange Park) to apply for the grant is attached for your consideration.

It is our recommendation that the resolution be approved.

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RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING APPLICATION FOR A GRANT UNDER THE
INFRASTRUCTURE MAINTENANCE FEE LITIGATION CY PRES COMMITTEE'S
GENERAL AUTHORITY TO MAKE SUCH GRANTS**

WHEREAS, in 1997, the State of Illinois enacted the Telecommunications Infrastructure Maintenance Fee (IMF) Act, which authorized the imposition of a fee of 1% of the gross charges on wireless retailers. Municipalities throughout the state imposed the IMF on telecommunications bills from January 1, 1998 through February 7, 2002; and

WHEREAS, in 1998, a lawsuit was filed challenging the fee, which the court ruled unconstitutional and, upon appeal, the Illinois Supreme Court affirmed the unconstitutionality of the Municipal IMF only as it applied to wireless retailers; and

WHEREAS, in 2000, municipalities that imposed the IMF were joined as defendants in a class action lawsuit that asserted the unconstitutionality of the Infrastructure Maintenance Fee and sought refunds of the IMF; and

WHEREAS, as of October 18, 2005, a settlement was approved that required defendant class members to pay into the settlement fund 70% of the amounts collected through the Municipal IMF for wireless telecommunications services; and

WHEREAS, the court will distribute the settlement fund in accordance with cy pres principles, or for its "next best" use. The settlement fund will be distributed as follows:

- 60% (sixty percent) for municipal emergency 9-1-1 telecommunications programs located anywhere within the State of Illinois; and
- 40% (forty percent) for medical facilities providing emergency care to indigent patients located in areas outside the six-county northeastern Illinois region; and

WHEREAS, the court has established a three person committee (Cy Pres Committee) to make recommendations as to how the cy pres grants will be distributed; and

WHEREAS, the Villages of La Grange and La Grange Park, Cook County, Illinois, have determined that it is in their best interests to pursue the acquisition of two (2) emergency warning sirens (Village of La Grange to fund 50% of one siren only) for the purpose of communicating to the residents of La Grange and La Grange Park the existence of emergency conditions by jointly applying for available cy pres grant funds made available through the court settlement.

NOW THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of La Grange, Cook County, Illinois as follows:

Section 1. That the Village of LaGrange hereby requests use of a portion of the telecommunications infrastructure maintenance fee cy pres funds for the purposes described in this application.

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Section 2. That the Village Manager is authorized to file a joint grant application on behalf of the Village of La Grange and the Village of La Grange Park with the Cy Pres Committee for a grant for two (2) emergency warning sirens (Village of La Grange to fund 50% of one siren only) to benefit the Villages of LaGrange Park and LaGrange, Cook County, Illinois.

Section 3. That the funds applied for will be expended consistent with the recitals in the application.

Section 4. That the Village Manager is authorized to furnish such additional information, assurances, certifications and amendments as the Cy Pres Committee may require in connection with this grant application.

Section 5. That the Village Manager is authorized and directed on behalf of the Village of La Grange and La Grange Park to execute and deliver a grant application and all subsequent amendments thereto between the Village of La Grange and La Grange Park and the Cy Pres Committee on behalf of both Villages; and the Village Clerk is authorized and directed on behalf of the Village of La Grange and La Grange Park to attest said application and all subsequent amendments thereto.

Section 6. That the Village Manager of La Grange Park is authorized to assist and coordinate in the delivery of the necessary grant application, resolution and supporting materials from the Village of LaGrange, Illinois to the Cy Pres Committee, since the joint application, if approved, would benefit both communities.

Section 7. That the Village Manager will provide the Cy Pres Committee with a certification from a certified public accountant certifying that the grant funds were expended in conformity with the formal application for the use of funds to ensure compliance with the grant program. Certification will be provided within 90 days of a request by the Cy Pres Committee.

ADOPTED BY THE PRESIDENT AND THE BOARD OF TRUSTEES of the Village of La Grange, Cook County, Illinois this _____ day of _____, 2006.

YEAS:

NAYS:

ABSTAIN:

ABSENT:

Approved this _____ day of _____, 2006.

Elizabeth Asperger, Village President

ATTEST: _____
Robert Milne, Village Clerk

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VILLAGE OF LA GRANGE

Disbursement Approval by Fund

November 27, 2006

Consolidated Voucher 061127

Fund No.	Fund Name	11/27/06 Voucher	11/17/06 Payroll	Total
01	General	161,224.23	238,350.08	399,574.31
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax			0.00
23	TIF			0.00
24	ETSB	7,908.11		7,908.11
40	Capital Projects	6,351.33		6,351.33
50	Water	13,386.05	30,696.74	44,082.79
51	Parking	2,403.65	18,867.49	21,271.14
60	Equipment Replacement	62,276.33		62,276.33
70	Police Pension	2,000.00		2,000.00
75	Firefighters' Pension	2,000.00		2,000.00
80	Sewer	1,170.36	6,964.97	8,135.33
90	Debt Service	185,639.00		185,639.00
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		444,359.06	294,879.28	739,238.34

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

4-C

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.

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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.

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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.

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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.

4-D.3

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

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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

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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

Approved Date

4-D.6