

MINUTES

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

Monday, September 26, 2011 - 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 Village Clerk Thomas Morsch. On roll call, as read by Village Clerk Thomas Morsch, the following were present:

PRESENT: Trustees Holder, Horvath, Kuchler, Langan (arrived at 7:40 p.m.), Nowak, and Palermo 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
Finance Director Lou Cipparrone
Assistant Finance Director, Joe Munizza
Public Works Director Ryan Gillingham
Fire Chief Bill Bryzgalski
Police Chief Mike Holub

2. PRESIDENT'S REPORT

President Asperger noted several events which included the West End Art Festival, Race Unity Day, the upcoming La Grange Fire Department Prevention Open House and the annual La Grange Halloween Walk.

A. Appointment — Firemen's Pension Board

President Asperger announced that a vacancy has occurred on the Firemen's Pension Board. President Asperger requested approval to appoint Mr. Colin Robertson as a member of the Firemen's Pension Board. Trustee Holder moved to approve the appointment, seconded by Trustee Nowak. The motion carried by voice vote.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

None

4. OMNIBUS AGENDA AND VOTE

A. Agreement – Commuter Facility Improvement Grant Agreement – Stone Avenue Train Station

Agreement – Operation, Maintenance and Sublease of the Stone Avenue Commuter facility

Agreement – Architectural Professional Design Services – Legat Architects

B. Ordinance – Design Review Permit (DRP) #82, 19 South La Grange Road, Randy & Kathleen Valenta

C. Ordinance – Design Review Permit (DRP) #83, 26 East Burlington, Ammar Moosabhoy (Impact Architectural Signs)

D. Resolution – Illinois Municipal Retirement Fund Earnings

E. Ordinance – Disposal of Surplus Property

F. Minutes of the Village of La Grange Board of Trustees Regular Meeting Monday, September 12, 2011

G. Consolidated Voucher 110926

Trustee Horvath requested item 4-A be removed from the Omnibus Agenda and placed under Current Business for further discussion.

It was moved by Trustee Holder to approve items B, C, D, E, F and G of the Omnibus, seconded by Trustee Horvath. Approved by roll call vote.

Ayes: Trustee Holder, Horvath, Kuchler, Langan, Nowak, Palermo and President Asperger

Nays: None.

Absent: None.

5. CURRENT BUSINESS

4-A. Agreement – Commuter Facility Improvement Grant Agreement – Stone Avenue Train Station

Agreement – Operation, Maintenance and Sublease of the Stone Avenue Commuter facility

Agreement – Architectural Professional Design Services – Legat Architects (Agreements removed from Omnibus for further discussion.)

After a brief discussion, it was determined that Trustee Horvath only had concerns with the Architectural Professional Design Services Agreement with Legat Architects.

It was moved by Trustee Horvath to approve the first two Agreements under 4-A that being the Commuter Facility Improvement Grant Agreement for Stone Avenue Station and the Operation, Maintenance and Sublease Agreement for the Stone Avenue Commuter facility; seconded by Trustee Holder. Approved by roll call vote.

Trustee Horvath relayed his concerns over the 2007 pricing for project management and construction oversight services and fees for Phase 2 and Phase 3 of the Stone Avenue train station renovation project.

It was moved by Trustee Horvath to table approval of the Architectural Professional Design Services Agreement with Legat Architects; seconded by Trustee Palermo.

Trustee Horvath commented that Legat's proposed fee cap of 9.5% (maximum of \$93,508) for Phase 2 and Phase 3 services seemed high in today's market and suggested that the Village should request bids from other architectural firms to be sure that the Village receives the most competitive price for the work.

Village Manager Robert Pilipiszyn cited four reasons why this course of action is not recommended by staff: 1) State law requires that architectural and engineering services must be evaluated based on knowledge and experience, not pricing; 2) Legat has performed satisfactorily under the Phase 1 contract; 3) initiating a new RFP process will add additional time to commencement of the project; and 4) Legat will only be paid for actual time spent and fees are capped.

Assistant Village Manager Andri Peterson introduced Mr. Marc Rohde of Legat Architects who is in attendance to address concerns regarding the agreement. Mr. Rohde went on to say that the Stone Avenue Train Station Renovation Project is a very time-consuming project because of its historical nature and the coordination of efforts with Metra. Mr. Rohde explained that his firm specializes in working

with municipalities in building and renovation of train stations. In his company's experience, it is common to charge by the hour with a not to exceed limitation which is how their agreements with Metra usually work.

Discussion ensued among the Village Board regarding the pros and cons of conducting a new Request for Proposal (RFP) process for architectural and engineering services and the benefits of moving forward with Legat's proposal.

Village Attorney Mark Burkland pointed out to the Village Board that Illinois law requires municipalities to base their selection for architectural services on criteria not pricing or fee information. The law dictates that municipalities cannot ask firms to provide a cost proposal until 3 firms are interviewed on the basis of expertise and experience, selection of a firm and then rejection of proposal if the parties cannot negotiate an appropriate fee. Federal Standards may also apply.

Further discussion among the Village Board continued regarding how long does the RFP process takes, how much does it cost the Village and is it in the best interest of the Village. Also discussed were Legat's services and pricing.

Trustee Horvath stated that the agreement is not clear regarding the not to exceed limit of 9.5% proposed fee cap (maximum of \$93,508). Mr. Rohde agreed to amend the agreement to clarify the not to exceed proposed fee cap.

Trustee Kuchler thanked Trustee Horvath for bringing up the various issues discussed as it brought clarity to the matter at hand.

President Asperger noted it had been moved and seconded to table the Architectural Professional Design Services Agreement with Legat Architects for Phase 2 and Phase 3 of the Stone Avenue Train Station Renovation Project. Motion to table the agreement fails by a 2 to 4 vote.

Ayes: Trustees Palermo and Horvath
Nays: Trustees Nowak, Kuchler, Langan and Holder
Absent: None

It was moved by Trustee Langan to approve the Architectural Professional Design Services Agreement as described with the hourly billing net not to exceed 9.5% with Legat Architects for Phase 2 and Phase 3 of the Stone Avenue Train Station Renovation Project; seconded by Trustee Nowak. Motion approved by a 4 to 2 vote.

Ayes: Trustees Nowak, Kuchler, Langan, Holder
Nays: Trustees Palermo and Horvath
Absent: None.

President Asperger thanked Mr. Rhode of Legat Architects for his input into tonight's discussion and echoed Trustee Kuchler's sentiment of appreciation to Trustee Horvath for clarifying various issues associated with this matter.

- A. Presentation — FY 2010-11 Comprehensive Annual Financial Reports: Referred to Trustee Nowak

Trustee Nowak stated that the Comprehensive Annual Financial Report (CAFR) of the Village of La Grange for Fiscal Year May 1, 2010 — April 30, 2011 as prepared by the Finance Department has been reviewed by the auditors Sikich L.L.P. Copies of the audit report were previously sent to the Board under separate cover and are available for public inspection at the La Grange Public Library, in the Village Clerk's office, in the Finance Department as well as posted on the Village's website.

Trustee Nowak noted two operational efficiency comments:

- a) The Village's ratio of water billed as compared to water pumped decreased from 75.8 percent last year to 73.1 percent this fiscal year. Noting that the Village has previously identified this area of concern, Trustee Nowak added that this decrease in accuracy has a direct, negative impact of the Village's water accountability as water that passes through an inaccurate meter is not accounted for and billed to the user. The FY 2011-12 budget includes the replacement of all water meters throughout the Village and will be determined pending final staff analysis and Village Board direction. Trustee Nowak noted that the Village also continues to schedule annual leak studies to improve water accountability.
- b) Uninsured and uncollateralized deposits of \$11,250 relating to the Police Department's federal Drug Enforcement/Forfeiture Funds. Trustee Nowak noted that over the past several years the Village has received significant funding from the Police Department's involvement in local and regional drug investigations. These funds are restricted and must be utilized for expenditures directly related to drug enforcement activities. During the course of FY 2010-11 these funds accumulated in excess of the \$250,000 limit of FDIC insurance on interest bearing accounts. Trustee Nowak added that in order to extend the availability of these funds the FY 2011-12 budget includes the exclusive use of these funds to support D.A.R.E. and the Canine Unit.

Trustee Nowak requested Mr. Dan Berg, a partner with Sikich L.L.P. to give a brief overview of the audit report.

Mr. Berg stated that Sikich L.L.P. has rendered an unqualified or "clean" opinion stating that Village financial statements for the year ended April 30, 2011 are prepared and presented in conformity with generally accepted accounting

principles. Mr. Berg specifically noted attention to the management letter which identifies upcoming accounting pronouncements which need to be implemented in subsequent Comprehensive Annual Financial Reports. Mr. Berg expressed his availability to answer any questions about the process or the audit.

President Asperger indicated that no Village Board action is necessary and accepted the report. Staff was given a direction to submit the Comprehensive Annual Financial Report to the Government Finance Officers' Association for consideration of the Certificate of Achievement for Excellence in Financial Reporting. President Asperger noted the Village has received this prestigious award for fifteen consecutive years and expressed her gratitude to Finance Director Lou Cipparrone and Assistant Finance Director Joe Munizza for their excellent financial management.

To Trustee Palermo's question regarding GASB public pension accounting rules, President Asperger indicated that questions regarding pension funds will be discussed at the Pension Workshop scheduled later this month.

- B. Presentation — West Suburban Cook County Police and Fire Department Services Sharing study, Between the Villages of La Grange , La Grange Park, and Western Springs, in Conjunction with the Metropolitan Mayors Caucus Service Delivery Initiative: Referred to President Asperger.

President Asperger introduced Mr. William Balling of WRB, LLC, who conducted the consolidation study as part of a regional effort sponsored by the Metropolitan Mayors Caucus and was funded, in part, by a grant from the John D. and Catherine T. MacArthur Foundation.

Mr. Balling gave an overview of the purpose of the study indicating that the study was to determine the degree of compatibility between the study members, identify opportunities to share public safety services, and to provide recommendations as to how those opportunities could be achieved.

Mr. Balling summarized his findings and recommendations noting that a combined dispatch arrangement appears to be the most compatible and readily achievable shared service and was available to answers any questions from Village Board members.

Village Board members were supportive of combined dispatch services as long as the quality of services to residents was maintained.

Trustee Nowak commented that he read the study with pride that the Village of La Grange has been doing a good job of providing services to its residents on a lean budget.

President Asperger explained next steps and the coordination of future actions with participating study members La Grange Park and Western Springs.

6. MANAGER'S REPORT

A. Status Report — Review of the Village's Operations Plan

Village Manager Robert Pilipiszyn provided a progress summary of what has transpired since the last Operations Plan update in May 2011. As discussed, staff has developed a "short list" of the 12 most active and Board-identified, higher-order priorities along with a "dashboard-type" of worksheet which includes a color-coded status bar allowing staff to visually communicate to the Village Board that: (i) we are either on task; or (ii) there are either some emerging issues, or a here-and-now impediment that the Village Board should discuss as to what action, should be taken.

Mr. Pilipiszyn provided information on accomplishments in the 12 priorities of economic development, zoning code update, YMCA property, pension funding, Stone Avenue train station, sewer system/capital planning and capital improvements, technology, traffic management and pedestrian safety, West End Business District, Village Hall and Department of Public Works Energy Efficiency Project, Village Finance and Consolidation. Mr. Pilipiszyn also noted that a discussion regarding the status of these priorities will take place in one month at the Village Board planning session.

Mr. Pilipiszyn added that the Operations Plan and updates are posted on the Village's website.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

James Bergschneider, 920 S. Spring Avenue presented the Village Board with a copy of his request to revisit parking on the east side of Spring Avenue between 53rd and 54th Street as stated in the ordinance passed by the Village Board on June 11, 2001. Mr. Bergschneider stated that sidewalks currently exist on both sides of Spring Avenue and no longer poses a safety concern for pedestrians. Mr. Bergschneider argued that it is only fair that parking on the east side of Spring Avenue reflect the same restrictions as posted on the surrounding area streets.

President Asperger suggested that Mr. Bergschneider comply with the Village's policy requiring the consensus of the residents in the neighborhood and submit the request to the Village Board for further consideration.

8. EXECUTIVE SESSION

None

9. TRUSTEE COMMENTS

None.

10. ADJOURNMENT

At 10:05 p.m. it was moved by Trustee Langan to adjourn, seconded by Trustee Holder.
Motion approved by voice vote.

Elizabeth M. Asperger, Village President

ATTEST:

Thomas Morsch, Village Clerk

Approved Date: October 10, 2011