

Village Board of Trustees Regular Meeting

Date: Monday, January 25, 2010

Time: 7:30 PM

Location: Village Hall Auditorium

Minutes of the Meeting

MINUTES

VILLAGE OF LA GRANGE

BOARD OF TRUSTEES REGULAR MEETING

Village Hall Auditorium
53 South La Grange Road
La Grange, IL 60525

Monday, January 25, 2010 - 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 Administrative Secretary Ellie Elder, the following were present:

PRESENT: Trustees Holder, Horvath, Langan, Livingston, Kuchler, and Palermo

ABSENT: Village Clerk Milne

OTHERS: Village Manager Robert Pilipiszyn
Assistant Village Manager Andrianna Peterson
Village Attorney Mark Burkland
Finance Director Lou Cipparrone
Community Development Director Patrick Benjamin
Assistant Community Development Director Angela Mesaros
Public Works Director Ryan Gillingham
Fire Chief David Fleege
Police Chief Mike Holub

2. PRESIDENT'S REPORT

President Asperger welcomed and personally acknowledged the boys from Webelos Pack 39 who are working toward achieving their Citizenship Badge.

President Asperger noted that the Village Board had previously met on January 8 and 9 to discuss and identify short and long term goals for the Village. Staff will develop an operations plan to present at a future meeting.

The Village of La Grange was featured on the “Hungry Hound” segment of ABC news and a video reproduction was viewed by the audience. President Asperger also noted that La Grange will be featured in the March/April issue of West Suburban Living Magazine. She thanked residents and business owners for their years of hard work which has resulted in such recognition.

President Asperger expressed condolences to the family of Ken Straube, at his recent passing. Ken was a paid-on-call Firefighter and long-time resident of La Grange.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Harlan Hirt, 421 S. Spring does not feel that the minutes of December 14, 2009 reflect his statements. Mr. Hirt requested that he be permitted to supply a written response to the Village Board and for the minutes to reflect his request. Board members agreed to afford Mr. Hirt the opportunity. (Copy of correspondence dated January 28, 2010 attached.)

Attachment

Greg and Bridget O’Connor noted their presence if there were any questions regarding their agenda item for a variance. They also acknowledged sending the Board via electronic mail detailed information regarding their request.

Tim Trompeter, 318 S. Ashland expressed his support for the proposed zoning text amendment to create administrative adjustment authority in single family districts. He suggested that the proposal be further amended to grant maximum building coverage adjustments up to 150 square feet if the applicant agrees to preserve an open front porch.

4. OMNIBUS AGENDA AND VOTE

A. Ordinance (#O-10-01) – Creating An Additional Class A-3 Liquor License, Kama Restaurant LLC, 8 W. Burlington Avenue

B. Extension of Time Limit on Property Transfers with Park District Before Automatic Reverter

C. Agreement – Bluff Avenue Reconstruction Project – Stage 2 – (1) Local Agency Amendment #1 for Federal Participation; (2) MFT Resolution – Stage 3 – (1) Engineering Services Agreement; (2) Engineering Task Order; (3) Local Agency Agreement for Federal participation; & (4) MFT Resolution

D. Minutes of the Village of La Grange Public Hearing and Board of Trustees Regular Meeting Monday, December 14, 2009

E. Consolidated Voucher 091228 – (\$576,347.13)

F. Consolidated Voucher 100111 – (\$1,051,501.55)

G. Consolidated Voucher 100125 – (\$447,448.03)

It was moved by Trustee Langan to approve items A, B, C, D (inclusive of Mr. Hirt's comments), E, F, and G of the Omnibus Agenda, seconded by Trustee Horvath.

Approved by roll call vote.

Ayes: Trustees Holder, Horvath, Kuchler, Langan, Livingston, Palermo and President Asperger

Nays: None

Absent: None

5. CURRENT BUSINESS

A. Ordinance Variation – Maximum Building Coverage / Greg and Bridgette O'Connor, 315 S. Catherine Avenue: Referred to Trustee Kuchler

Trustee Kuchler explained the process by which motions are made to introduce an agenda item for purposes of discussion. Trustee Kuchler noted the circumstances relating to this request for a variation from maximum building coverage in order to construct a two-car detached garage along with a two-story addition. Trustee Kuchler added that the requested variation falls within the authorized limits of the Zoning Code and on December 17, 2009 the Zoning Board of Appeals held a public hearing on this matter. The motion to recommend that the variation be denied as requested passed by a unanimous voice vote of all five Commissioners present. Trustee Kuchler noted reasons given by the Zoning members for recommending denial of the variation.

Trustee Kuchler added that in accordance with State Statute, the approval of any proposed variation which fails to receive the approval of the Board of Appeals will not be passed except by the favorable vote of two-thirds majority vote by roll call of all Trustees (four out of six Trustees) currently holding office. He also noted the receipt and distribution of recent correspondence from the O'Connor's to the Village Board.

It was moved by Trustee Kuchler to approve the ordinance for a variation of maximum building coverage at 315 S. Catherine Avenue, seconded by Trustee Horvath.

President Asperger cautioned the Board about information received from the O'Connor's via electronic mail regarding this matter. After consulting with the Village Attorney, President Asperger instructed the Village Board that any new information contained in the letter cannot be considered if it was not presented to the Zoning Board of Appeals at the public hearing.

Trustee Holder applauds the efforts of the O'Connor's to modernize their residence however he could not support the variation. Trustee Holder stated his reliance on the comments by the Zoning Board of Appeals as the reasons for not supporting the variation.

Trustee Langan concurred, also noting his reliance on the findings of the Zoning Board of Appeals.

Trustee Kuchler does not believe that a unanimous vote by the Zoning Board of Appeals to deny the variation should be overturned by the Village Board.

Discussion ensued regarding approval between the garage and the addition.

Trustee Horvath noted his favor of the variation and explained his reasons.

Trustee Livingston indicated that the Board wants residents to invest in their homes and inquired if the Zoning Board of Appeals would consider modifications. Community Development Director Patrick Benjamin stated that the applicant had made modifications and this was the second request.

Trustee Langan noted that the Zoning Code needs to be adhered to.

Trustee Palermo acknowledged Trustee Langan's point, and to that point Trustee Palermo suggested that it may be necessary to consider further changes to the Zoning Code for such requests in the historic district.

Trustee Kuchler noted his uneasiness in overturning a recommendation made by the Zoning Board of Appeals.

Trustee Horvath remarked that the Village Board was enforcing the rules of the zoning code by adhering to a process and making judgment. He indicated his support for multiple zoning classes.

Motion failed by a five to one roll call vote.

Ayes: Trustee Horvath

Nays: Trustees Kuchler, Langan, Livingston, Palermo and Holder

Absent: None

President Asperger thanked the Board for their thoughtful consideration of this item.

B. Ordinance (#O-10-02) Zoning Text Amendment – Creating Administrative Adjustment Authority in the Single Family Districts: Referred to Trustee Kuchler

Trustee Kuchler detailed the background for a Zoning Text Amendment to allow administrative authority for minor adjustments to zoning regulations. Trustee Kuchler noted the analyses undertaken by staff to examine the administrative process used by other municipalities prior to presenting the information to the Plan Commission.

Trustee Kuchler explained the authorization and adjustment process and noted the categories that would be applicable. Trustee Kuchler stated that two public hearings were conducted by the Plan Commission and after much deliberation the Plan Commission recommended that the Village Board approve the administrative adjustment proposal.

Trustee Kuchler added that the recommended amendment would allow the administrative adjustment process and would include minor adjustments to (a) front and corner side yards; (b) depth of front yard; (c) maximum building coverage; and (d) required setback for detached garages. The amendment would also include the requirements; general criteria; process and fees.

It was moved by Trustee Kuchler to approve an Ordinance Amending Article XIV of the La Grange Zoning Code to Create Authority for Limited Administrative Adjustments, seconded by Trustee Langan.

Trustee Palermo noted his favor of this concept to streamline the process and inquired about the ability to appeal; possible opposition; and criteria. Attorney Burkland responded.

Trustee Palermo inquired about the total number of variations provided in the analyses from other municipalities and Assistant Community Development Director Angela Mesaros responded.

Trustee Horvath noted his favor of this item.

Trustee Holder inquired if the applicant could appeal a request that might be denied administratively. It was noted that the applicant could then file with the Zoning Board of Appeals.

Approved by roll call vote.

Ayes: Trustees Holder, Horvath, Kuchler, Langan, Livingston, and Palermo

Nays: None

Absent: None

6. MANAGER'S REPORT

Village Manager Robert Pilipiszyn invited all to attend the upcoming Capital Projects Workshop on Monday, February 1, 2010 at 7:30 p.m. in the Village Hall

Auditorium. Mr. Pilipiszyn identified the Capital Projects Workshop as the beginning of the Village's budget planning process. The workshop affords the Board the opportunity to discuss proposed, ongoing and future infrastructure projects. One of the infrastructure projects is the Maple Avenue Relief Sewer project and Mr. Pilipiszyn invited Public Works Director Ryan Gillingham to present details on this topic.

With the aid of Village Engineer Tom Heuer, Mr. Gillingham gave a visual powerpoint presentation which included a brief but detailed synopsis of the history of the project since its onset in 2005. Explaining sewer system fundamentals, Mr. Gillingham noted the difference and interrelationship between storm sewers, sanitary sewers, combination sewers, relief sewers and the Deep Tunnel System.

Mr. Gillingham provided information and visual graphics on how doubling pipe capacity will help drainage. The project has been ongoing in stages with the Bluff Avenue street improvements and completion is anticipated in April 2010. Mr. Gillingham added that future projects would be directed at Ogden Avenue with the Ogden Avenue Relief Sewer (OARS) system project.

Trustee Holder questioned the area south of 47th Street. Village Engineer Tom Heuer noted that the sewer system in the area south of 47th Street is in a different water shed basin and gave a brief description of its operation.

Trustee Horvath inquired about a proposed pedestrian underpass at Maple Avenue and the Indiana Harbor Belt Railroad tracks. Village Manager Pilipiszyn responded that information concerning that project will be provided to the Board at the capital projects workshop next week.

Trustee Palermo inquired about the installation method for future segments of MARS, especially as it relates to street surfaces which are in good condition. Mr. Gillingham indicated that such matters of detail have yet to be engineered.

President Asperger noted extensive planning and thought process which goes into these projects in order to provide for future needs of Village residents.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

Harlan Hirt, 421 S. Spring requested clarification on the combined sewer and Mr. Gillingham responded.

8. EXECUTIVE SESSION

9 TRUSTEE COMMENTS

None

10. ADJOURNMENT

At 9:10 p.m. it was moved by Trustee Langan to adjourn, seconded by Trustee Holder. Motion carried by voice vote.

Approved: 02/08/10