

Village Board of Trustees Regular Meeting

Date: Monday, September 14, 2009

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, September 14, 2009 - 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 7:33 p.m. by President Asperger. On roll call, as read by Village Clerk Robert Milne, the following were present:

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

ABSENT: None

OTHERS: Village Manager Robert Pilipiszyn

Assistant Village Manager Andrianna Peterson

Village Attorney Mark Burkland

Finance Director Lou Cipparrone

Assistant Community Development Director Angela Mesaros

Public Works Director Ryan Gillingham

Fire Chief David Fleege

Police Chief Mike Holub

2. PRESIDENT'S REPORT

A. Oath of Office – Firefighter Paramedic Reid Selvik

With the recent retirement of Fire Captain Greg Michalek in May 2009 and corresponding promotions, a vacancy was created and the La Grange Board of Fire and Police Commissioners have appointed Reid Selvik to the position of Firefighter / Paramedic effective August 31, 2009. President Asperger invited Mr. Selvik forward and Village Clerk Milne administered the oath of office.

B. Resolution of Appreciation – Stephen Randolph

President Asperger recognized retiring Plan Commission Chairman Steve Randolph for his numerous contributions to the community.

Prior to reading a Resolution of Appreciation for Steve Randolph, President Asperger invited the Board of Trustees to comment. Village Trustees, the Village Attorney and President Asperger extended deepest appreciation and warmest

personal regards for his years of public service and presented him with a gift of appreciation.

President Asperger commented on all of the recent events held in the community giving special thanks to Trader Joe's in La Grange for their generosity at the West End Art Festival. Thanks were extended to the La Grange Business Association on their successful Big Picture Auction which raised approximately \$16,000 for local charities. Patriot's Day was honored by the Robert Coulter American Legion Post and President Asperger welcomed back Police Officer Steve Kniefl returning from his deployment in Afghanistan with the Illinois National Guard. The Community Diversity Group's 18th Annual Race Unity Rally culminated the weekend events.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Tim Trompeter, 318 S. Ashland as the architect for the applicant residing at 222 N. Catherine Avenue, briefly explained the circumstances for the requested variation.

Jon Froemel, 222 N. Catherine Avenue noted the reasoning for the variation, adding his willingness to sign a covenant with the Village that the front porch not be enclosed.

Lisa Froemel, 222 N. Catherine Avenue also noted her presence for any questions which the Board may have regarding the requested variation.

4. OMNIBUS AGENDA AND VOTE

A. Ordinance (#O-09-25) – Variation – Side and Rear Yard Regulations for Accessory Structures / William Hoekwater, 229 S. Brainard

B. Ordinance (#O-09-26) – Variation – Functional Type & Maximum gross Area of Sign / Mac Neal Health Care, 47 S. 6th Avenue

C. Construction Contract – Engineering Services Agreement – 2009 Sewer Lining Program – Willow Springs Road (Dominic Fiordiroso Construction Company \$148,000 and Heuer & Associates \$11,873.30)

D. Equipment Purchase – Public Works Department – Small Skid Steer (Atlas Bobcat, Inc. Schiller Park, IL \$19,577)

E. Ordinance (#O-09-27) – Disposal of Surplus Property (Police Department Forfeited Vehicles)

F. Open Meetings Act – Review of Closed Session Minutes

G. Minutes of the Village of La Grange Board of Trustees Regular Meeting Monday, August 24, 2009

H. Consolidated Voucher 090914 (\$1,259,084.96)

It was moved by Trustee Langan to approve items A, B, C, D, E, F, G and H of the Omnibus Agenda, seconded by Trustee Holder.

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 (#O-09-28) – Variation – Maximum Building Coverage / Lisa and Jon Froemel, 222 N. Catherine Avenue: Referred to Trustee Kuchler

Trustee Kuchler briefly explained the process by which motions are made to introduce an application for purposes of discussion. Trustee Kuchler noted the unique circumstances relating to this request for a variation from maximum building coverage in order to construct a two-story kitchen eat-in area and family room addition. Trustee Kuchler added that the requested variation falls within the authorized limits of the Zoning Code and on July 16, 2009 the Zoning Board of Appeals held a public hearing on this matter. The motion to recommend the variation be granted with the condition that the applicants engage in a covenant with the Village that the front porch never be enclosed failed by a three (nays) to two (ayes) vote with two commissioners absent, at least four yes votes are required to decide in favor of any application. 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.

It was moved by Trustee Kuchler to approve the ordinance for a variation of maximum building coverage at 222 N. Catherine Avenue, seconded by Trustee Holder.

Trustee Holder expressed his belief that the Zoning Board of Appeals has the expertise and experience in these matters and as Village Trustee he relies on their good judgment.

Trustee Kuchler noted several requested variations coming before the Board in the past. Trustee Kuchler believes that the zoning code should be amended to fit the design for home improvements.

Trustee Holder noted limits have been set and should be adhered to. Trustee Holder added that the Zoning Board of Appeals offered other solutions to the applicants. Trustee Holder questioned if the Village Board is guided by different

standards than the Zoning Board of Appeals. Attorney Burkland stated both boards are guided by the same standards however perceived differently.

Trustee Langan believes it is important to uphold the zoning code and adhere to the standards set.

Trustee Livingston noted he will vote in favor of this variation as he feels it is a reasonable accommodation.

Trustee Horvath concurs with Trustee Livingston and will also vote in favor of the variation.

Trustee Palermo indicated that although the zoning code was amended several years ago, it addressed new construction, while challenges for older homes still remain. Trustee Palermo believes that a second set of standards for older homes should be in place.

Trustee Kuchler indicated that state law establishes standards and he questioned if the applicants were informed that two members of the Zoning Board of Appeals would be absent. It was confirmed that the petitioners were informed.

Trustee Holder commented on the value in maintaining the historic exterior while modernizing the interior, however does not believe this request meets the criteria and he will not support the variation.

Trustee Palermo believes that applicants need to be advised that a variation request requires four affirmative votes by the Zoning Board of Appeals and indicated that he would like to see better attendance by the Zoning Board of Appeals.

Approved by a four to two roll call vote.

Ayes: Trustees Horvath, Kuchler, Livingston, and Palermo

Nays: Trustees Holder and Langan

Absent: None

6. MANAGER'S REPORT

Village Manager Robert Pilipiszyn expressed heartfelt sympathy to the Lane family at the passing of Roy Lane former La Grange Police Chief.

Mr. Pilipiszyn gave an update on pedestrian safety and traffic management noting that the Illinois Department of Transportation has approved the in-street pavement lighting technology as part of the enhanced pedestrian crossing at 9th Avenue. Mr. Pilipiszyn advised that the Village continues to work with IDOT and its professional consultant to further safety measures throughout the Village.

Mr. Pilipiszyn announced that the Illinois Department of Agriculture has confirmed the presence of the Emerald Ash Borer in La Grange. Detailed information regarding the insect along with the Village's plan and protocol for addressing the situation were explained by Mr. Pilipiszyn and reference information for the public will be posted on the Village's website.

The La Grange Fire Department will hold its annual open house on Saturday, October 3 from 11:00 am to 3:00 p.m. Mr. Pilipiszyn invited the public to attend this event which coincides with National Fire Prevention Week.

The Department of Public Works will begin the Village's free leaf pick-up beginning on October 12 and will continue until the Thanksgiving Day holiday. Mr. Pilipiszyn noted that additional information would be posted on the Village's website and reminded residents that in the event of snow the Village would resume leaf collection after snow removal operations.

Mr. Pilipiszyn advised residents that the League of Women Voters in conjunction with the Township of Lyons will be hosting an environmental fair on Saturday, October 17. Mr. Pilipiszyn referenced details and contact information.

Lastly, Mr. Pilipiszyn noted that the Assessor's Office for Lyons Township would be temporarily relocated and provided contact information.

President Asperger noted that earlier this evening a Liquor Commission meeting was held to consider the issuance of a liquor license for Prasino an eco-friendly organic eatery to be located at 93 S. La Grange Road. A recommendation for approval will be at the next regular Village Board meeting.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

None

8. EXECUTIVE SESSION

9 TRUSTEE COMMENTS

Trustee Palermo expressed his thanks for providing information on vacancies for the Design Review Commission and West Suburban Mass Transit District and encouraged interested parties to contact President Asperger.

10. ADJOURNMENT

At 8:52 p.m. it moved by Trustee Langan to adjourn, seconded by Trustee Horvath Motion carried by voice vote.

Approved: 09/28/09