

MINUTES

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

Monday, May 12, 2014 - 7:30 p.m.

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

The Board of Trustees of the Village of La Grange regular meeting was called to order at 7:32 p.m. by President Livingston. On roll call, as read by Village Clerk John Burns, the following were present:

PRESENT: Trustees Holder, Kuchler, Langan, McCarty, Nowak and Palermo

ABSENT: None

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 & Planner Angela Mesaros
Public Works Director Ryan Gillingham
Fire Chief William Bryzgalski
Police Chief Michael Holub

President Livingston requested Village Clerk John Burns to lead the audience in reciting the Pledge of Allegiance.

2. PRESIDENT'S REPORT

President Livingston advised that the regularly scheduled Village Board meeting on June 9, 2014 will begin at 7:00 p.m. in order to recognize past and present citizen volunteers who have served on advisory boards and commissions. Encouraging the public to attend, President Livingston added that the La Grange 2020 Task Force will also present their report at this meeting.

President Livingston recognized former Village Clerk Thomas Morsch who is in attendance this evening.

Indicating that the annual Pet Parade would take place on May 31, President Livingston invited all to attend this popular community event.

Referencing several items on this evenings Omnibus agenda, President Livingston extended thanks to Senator Radogno and Representative Durkin for their support in advancing the Willow Springs Road traffic signal project as well as the neighborhood street resurfacing project.

President Livingston advised that vacancies on the various boards and commissions would be openly posted to anyone interested in volunteering and recommendations will be presented at the second regularly scheduled Board meeting in June.

President Livingston noted that the topic of medical marijuana will be discussed this evening and the public will have an opportunity to speak and express opinions.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Steve Jasinski, President of the La Grange Business Association thanked the Board and staff for their support of the upcoming carnival special event. On behalf of the LGBA, Mr. Jasinski stated that businesses are not in favor of locating a medical cannabis dispensary in the Central Business District.

Stephen Griffin, Property Tax Analyst on behalf of Billet Specialties, noted his attendance to answer any questions regarding the request for a Class 6(b) Assessment Reduction at 501 Shawmut Avenue.

Tanya Griffin, on behalf of Growth Management Consulting and Marketing, noted her attendance to answer any questions regarding medical cannabis dispensaries.

4. OMNIBUS AGENDA AND VOTE

- A. Resolution (#R-14-05) – Request to Close La Grange Road/Pet Parade
- B. Willow Springs Road Traffic Signal Project: (1) Construction Engineering Services Agreement for Federal Participation; (2) Construction Engineering Task Order; (3) Local Agency Agreement for Federal Participation; (4) Traffic Signal Maintenance Agreement; (5) Easement Agreement Between the Village of La Grange, Village of Western Springs and the Lyons Township High School District 204; (6) Easement Agreement Between the Village of La Grange, Village of Western Springs and Park District of La Grange
- C. Award of Contract – (1) Construction of Cossitt Avenue Water Main Replacement Project From Gilbert Avenue to Leitch Avenue; (2) Construction Engineering Services Agreement
- D. Engineering Services Agreement – FY 2014-2015 Neighborhood Street Resurfacing Project

- E. Engineering Services Agreement — Kensington Avenue Resurfacing Project
- F. Ordinance (#O-14-20) – Disposal of Surplus Property
- G. Minutes of the Village of La Grange Public Hearing and Board of Trustees Regular Meeting, Monday, April 28, 2014
- H. Consolidated Voucher 140512 (\$889,357.83)

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 a 6 to 0 roll call vote.

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

5. CURRENT BUSINESS

- A. Special Event – La Grange Business Association – “Ahhh La Grange Carnival: Referred to Trustee Nowak

Trustee Nowak reported that the La Grange Business Association has requested the Board’s permission to conduct the “Ahhh! La Grange Carnival” which would take place Friday, May 30 through Sunday June 1, with the Pet Parade being held on Saturday, May 31. Trustee Nowak explained the details of the event including a request to sell beer and wine during the operating hours. Trustee Nowak explained that the sale and service of liquor would be conducted by a licensed caterer and that the La Grange Business Association would monitor and control liquor management.

It was moved by Trustee Nowak to approve the “Ahhh! La Grange Carnival” subject to specific conditions which include approving the temporary closure of Harris Avenue from La Grange Road to Ashland Avenue; waive restrictions which prohibit the consumption of alcohol on the public way; waive the restrictions for the outdoor display and sale of goods and services in the C-1 Zoning District; and approve carnival rides as a Temporary Use, seconded by Trustee Holder.

Approved by a 6 to 0 roll call vote.

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

- B. Resolution (#R-14-06) – Request for Class 6(b) Assessment Reduction 501 Shawmut Avenue: Referred to Trustee Nowak

Trustee Nowak explained that the Village has received a request from G & G Partners, LLC d/b/a Billet Specialties, Inc. for a potential Class 6(b) Cook County Property Tax Abatement. Summarizing that the vacant building at 501 Shawmut would be renovated and improved to facilitate their current location at 500 E. Shawmut, Trustee Nowak noted that Cook County offers this real estate tax incentive to encourage industrial development.

Trustee Nowak provided the percentages and time line for the level of assessment reductions and advised that this incentive has been previously offered to other similar developments within the Village. Trustee Nowak moved to approve the resolution to allow G & G Partners d/b/a Billet Enterprises, Inc. to proceed with a Class 6(b) request and expand their business enterprise in La Grange, seconded by Trustee McCarty.

Trustee Palermo asked if the Village is abating just its taxes, or other taxing bodies. Village Manager Pilipiszyn explained that the incremental difference is spread among all property tax payers so there is no loss or impact on taxing bodies.

Trustee Holder asked if the program is similar to state programs and inquired if the acquisition purchase amount is known. Attorney Burkland responded that the program is similar to some state programs. Community Development Director Patrick Benjamin responded that the purchase price provided to the Village was \$740,000.

Approved by a 4 to 2 roll call vote.

Ayes: Trustees Langan, McCarty, Nowak and Kuchler

Nays: Trustees Holder and Palermo

Absent: None

C. Ordinance (#O-14-21) – Amendments to Zoning Code Regarding Medical Cannabis Dispensaries: Referred to Trustee Holder

Trustee Holder explained that in anticipation of the upcoming Compassionate Use of Medical Cannabis Pilot Program Act the Village Board previously adopted a resolution directing staff and the Plan Commission to study zoning standards related to medical marijuana dispensaries. Trustee Holder added that the State Act limits the authority of municipalities to prohibit these facilities, however does allow municipalities to regulate the location of dispensaries through zoning.

Trustee Holder provided details related to the regulations and limitations of the State Act and reported on the zoning locations that dispensaries could potentially be allowed. Trustee Holder supplied information from the public hearing held by the Plan Commission and the recommended proposed amendments to the Zoning Code.

Trustee Holder moved to approve the ordinance amending the zoning code regarding medical cannabis dispensaries as recommended by the Plan Commission, seconded by Trustee Langan. Trustee Holder also expressed his agreement with the Plan Commission recommendation.

Upon review of the Plan Commission minutes, Trustee Kuchler noted that two areas were recommended for the location of dispensaries and inquired if this could be limited to one area. Attorney Burkland responded that the Village and Plan Commission conducted a reasonable process and analysis regarding a cannabis dispensary and where it might be located. He believes that if the zoning were to be narrowed, it would not constitute an unreasonable prohibition.

Trustee Nowak asked about the Plan Commission's sentiment regarding the location of a dispensary in an industrial district rather than the CBD and how the Plan Commission differentiated between zoning districts with nearby residential areas. Attorney Burkland responded that the Plan Commission generally indicated that a dispensary located in an industrial district might not be as desirable as one located in a more populated and trafficked area. He went on to explain that the Plan Commission had a lengthy discussion about residential properties which are adjacent (or in the vicinity of) to other zoning districts and those which abut (are immediately next to).

Community Development Director Benjamin reviewed the proposed zoning districts on the map with the Village Board.

Trustee Langan asked about carving out specific areas within zoning districts. Attorney Burkland indicated that while it isn't appropriate to consider property by property, the Village Board can consider criteria that would be protective of Village concerns or interests.

Trustee Holder confirmed that a Special Use Permit would apply. Attorney Burkland responded that no specific medical cannabis dispensary is authorized or approved yet, and that a Special Use Permit and public hearing would be required.

Trustee McCarty asked about the time frame for processing applications for Special Use. Attorney Burkland responded that at a minimum it could be 45 days but more likely 90 days from the time the application process begins, depending on the availability of the Plan Commission's schedule and public notice requirements. Trustee McCarty inquired if there were any other public health or safety issues and Police Chief Holub responded no. Trustee McCarty asked if a medical marijuana dispensary may also be utilized as a recreational marijuana dispensary or if it would be regulated separately. Attorney Burkland stated that they could be treated differently.

Trustee McCarty inquired if any tax would be allocated and Attorney Burkland indicated it is unknown at this time.

Trustee Palermo indicated concerns regarding a medical marijuana dispensary reverting into a recreational marijuana dispensary. Trustee Palermo is not in favor of allowing a dispensary in either commercial district.

Trustee Langan inquired if state statute would allow the Village to limit zoning of a dispensary to the Industrial District. Attorney Burkland responded yes.

Trustee McCarty asked Ms. Griffin to provide information on the illnesses that would be addressed at a dispensary. Ms. Griffin provided a list of chronic illnesses eligible to receive medical marijuana and the strict provisions by which it would be dispensed.

President Livingston noted the need for a motion to amend the original motion to amend the zoning code regarding medical cannabis dispensaries as recommended by the Plan Commission.

It was moved by Trustee Palermo to amend the original motion to approve the ordinance amending the La Grange Zoning Code regarding medical cannabis dispensaries to only the I-1 industrial district, second by Trustee Holder.

Trustee McCarty expressed concerns in diverting from the Plan Commission's recommendation.

Trustee Nowak indicated that although he sees value in medical marijuana, dispensaries are untested and there are several unknown and potential impacts for commercial areas including congestion, parking, recreational use and revenue.

President Livingston noted the amended motion is to include the industrial district and omit the commercial district. Approved by voice vote.

President Livingston noted the main motion has been amended to approve the zoning code amendments for the I-1 industrial district. Attorney Burkland noted the motion is for approval of the ordinance as amended by removing section 3 and renumbering.

Approved by a 6 to 0 roll call vote.

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

- D. Geographic Information Systems (GIS) (1) Membership Agreements GIS Consortium
(2) Professional Services Agreement – Municipal GIS Partners: Referred to Trustee Palermo

Trustee Palermo explained that the implementation of a Geographic Information System (GIS) would address several technology needs and efficiencies throughout Village departments. Providing background information, Trustee Palermo described the benefits in record keeping, organizational integration, consolidation, and improved customer service.

Trustee Palermo noted that there currently exists a twenty three member municipality GIS Consortium which works together to investigate existing approaches to GIS in local government and integrating best practices into a unified model. Explaining the funding and implementation process, Trustee Palermo noted that staff recommends the shared intergovernmental consortium model for cost effectiveness.

Trustee Palermo moved to approve a membership agreement with the Geographical Information Systems Consortium and the service provider contract with Municipal Geographical Information System Partners, seconded by Trustee Langan.

Trustee Langan will support this item as he feels this is an excellent tool for use throughout the Village.

Trustee Palermo inquired if staffing was needed after initial data is entered into the system. Mr. Gillingham responded as the system supports various departments and other municipalities, continuous updates are necessary to maintain current and accurate information.

Trustee McCarty requested confirmation that expenses would be equally shared and Mr. Gillingham responded affirmatively. Trustee McCarty inquired as to the benefits for developers. Mr. Gillingham provided additional information on the various entities linked to this type of system.

Trustee Kuchler is in favor of the GIS system and supports the purchase.

Offering his congratulations to Public Works Director Ryan Gillingham in pursuing GIS, Trustee Holder supports moving forward with this technology.

Approved by a 6 to 0 roll call vote.

Ayes: Trustees Holder, Kuchler, Langan, McCarty, Nowak and Palermo

Nays: None

Absent: None

- E. Resolution (#R-14-07) – Authorizing the Village of La Grange, in Concert with the Village of La Grange Park and the Village of Western Springs, to Proceed with the Design Phase of a Consolidated Public Safety Dispatch Center: Referred to President Livingston

President Livingston provided a synopsis of the feasibility of establishing a consolidated public safety dispatch operation and the Board's previous discussions. Adding the concurrence of the elected officials and management of the two other municipalities, President Livingston believes a consolidated dispatch center is beneficial and offers an opportunity for future regionalization.

President Livingston discussed that value of establishing shared police and fire services with adjoining municipalities. President Livingston noted that the first step in creating a consolidated dispatch facility with the Villages of La Grange, La Grange Park and Western Springs is to adopt a resolution. President Livingston added that Western Springs is anticipated to adopt their resolution in May, 2014 and La Grange Park in June, 2014.

Trustee Langan moved to approve the resolution which directs Village management to develop a phased approach to design and then recommend a general plan to implement that design in concert with the other Villages, seconded by Trustee Nowak.

Trustee Palermo does not support this consolidation and favors joining the Southwest Dispatch Center. Believing that there is a lack of sufficient data, Trustee Palermo provided his reasoning to join an established consortium.

President Livingston noted that the answers to various questions will be revealed in the design phase and that the process is not an end point but a beginning point for further savings.

Trustee Holder noted his support of the consolidation effort after Police Chief Holub provided some of the limitations relative to joining the Southwest Dispatch Center.

Trustee Langan feels it best to partner with La Grange Park and Western Springs.

Trustee Nowak concurs with Trustee Langan and feels operational savings will sustain over time.

Approved by a 5 to 1 roll call vote.

Ayes: Trustees Holder, Kuchler, Langan, McCarty, and Nowak

Nays: Trustee Palermo

Absent: None

6. MANAGER'S REPORT

Prior to the Manager's report, President Livingston extended congratulations to Community Development Director Patrick Benjamin for his 25 years of public service in the Village of La Grange.

A. Electricity Aggregation – Status Update Regarding ComEd Default Rate

Village Manager Robert Pilipiszyn explained that at the April 28 Village Board meeting it was announced that the Village has opted to return residents to the ComEd default rate for the second year of the Village's electricity aggregation program. As ComEd's default rates have now been published, Mr. Pilipiszyn asked Assistant Village Manager Andrianna Peterson to provide a status update.

Ms. Peterson provided detailed information on ComEd rates and market prices from pre-qualified electricity providers. Indicating that marketplace conditions will be monitored, Ms. Peterson noted that the Village intends to continue to provide customer protections as outlined in the program's Plan of Governance. Ms. Peterson detailed options for residents and encouraged them to visit the Village website as well as the Citizens Utility Board website for additional information.

President Livingston advised that staff will continue to monitor.

B. Police Department – Proposed Change in Departmental Structure

Village Manager Pilipiszyn provided an overview on the proposed restructuring of the police department to reorganize and achieve operational efficiencies. Mr. Pilipiszyn noted his support of the changes and asked Police Chief Mike Holub to elaborate on the proposed restructuring.

Chief Holub commented on the organizational chart; detailed information provided in his report; and referenced the financial analysis all of which had been provided to the Board. Indicating that the Police Department currently operates under this structure in practice, Chief Holub noted that with the Board's concurrence the creation of a Deputy Chief position would provide a unified command structure. According to State Statute the Board of Fire and Police Commission does not appoint the position of Deputy Chief. Police Chief Holub advised that the next step would be for the Village Board to adopt an ordinance creating this position. Upon the Board's concurrence, Chief Holub noted his intent to conduct employee meetings to announce the structural changes within the department. Chief Holub added that the proposed restructuring will work in conjunction with a combined dispatch center and offered to answer any questions.

Trustee Kuchler inquired about the need for the proposed changes. Chief Holub noted that it would clarify roles and responsibilities. Trustee Kuchler expressed concerns related to salary costs and Finance Director Lou Cipparrone provided information on the salary analysis. Trustee Kuchler expressed concerns that the Board of Fire and Police Commission do not authorize this position.

Trustee Palermo expressed similar concerns as Trustee Kuchler in that the Deputy Chief position is not within the parameters of the Board of Fire and Police Commission. Village Manager Pilipiszyn noted that the Police Chief is attempting to

create a management team similar to other departments. By distributing management tasks, we will have an opportunity to get more officers on the street for service delivery purposes, which is a priority in the community.

Trustee Langan noted that policing is changing. Trustee Langan feels that Chief Holub has provided a solution to enhance the operations of his department.

Trustee Nowak inquired if this practice is common with other municipalities. Chief Holub responded affirmatively.

President Livingston noted this is not an action item this evening and encouraged any additional questions, concerns, or comments to be directed to the Village Manager.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

None

8. EXECUTIVE SESSION

9. TRUSTEE COMMENTS

Trustee Langan expressed his thanks and offered congratulations to Patrick Benjamin for his 25 years of service.

Trustee Palermo echoed congratulations to Patrick Benjamin. Trustee Palermo thanked President Livingston for openly conveying the opportunity for citizens to apply for vacancies on the various boards and commissions.

Trustee Kuchler noted his thanks to Mr. Benjamin and also to the Department of Public Works for their ongoing efforts in maintaining Village streets.

Trustee Holder and McCarty added their congratulations and appreciation to Patrick Benjamin.

10. ADJOURNMENT

At 10:08 p.m. Trustee Langan moved to adjourn, seconded by Trustee Palermo. Approved by voice vote.


Thomas E. Livingston, Village President

ATTEST:


John Burns, Village Clerk

Approved Date: June 23, 2014