

MINUTES

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

Monday, July 8, 2019 - 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 7:30 p.m. by Village President, Thomas Livingston. On roll call, as read by Village Clerk John Burns, the following were:

PRESENT: Trustees Augustine, Gale, Holder, Kotynek, Kuchler and McCarty, with President Livingston presiding.

ABSENT: None

OTHERS: Village Manager Andrianna Peterson
Village Attorney Mark Burkland
Public Works Director Ryan Gillingham
Community Development Director Charity Jones
Finance Director Lou Cipparrone
Police Chief Kurt Bluder
Fire Chief Terrence Vavra

President Livingston asked Village Clerk John Burns to lead the audience in reciting the pledge of allegiance.

2. PRESIDENT'S REPORT

President Livingston announced that the Liquor Commission met this evening to consider an A-1 (beer and wine) liquor license application for Forbidden Noodles at 50 S. La Grange Road. The Commission recommended the issuance of a license and due to the Village Board's shortened meeting schedule this summer, we have included consideration of the creation of a new A-1 license is on the Village Board's agenda this evening. Members of the Liquor Commission are available to answer any questions.

President Livingston announced that the Village Board meetings scheduled for Monday, July 22, 2019 and also August 12, 2019 have been cancelled. The next regularly scheduled Village Board Meeting will be Monday, August 26, 2019 in the Village Hall auditorium.

President Livingston thanked the La Grange Country Club for the great fireworks on the Fourth of July.

A. Annual Appointment of Village Officials

Trustee Augustine stated that in consideration of her relationship with the Village Prosecutor, she recused herself from the appointment of the Village Prosecutor.

Trustee Holder made a motion to approve the appointments seconded by Trustee McCarty. Motion carried on a voice vote.

B. Presentation – Drug Free Coalition of Lyons Township

Director Cindy Frymark provided a presentation regarding the impacts of marijuana addiction. She requested that the Village Board not allow cannabis businesses in La Grange.

President Livingston thanked her for her comments and reported that the Village Board is educating itself on the topic.

3. MANAGER’S REPORT

Manager Peterson announced that work continues on Ashland Avenue to install a new water main below a 54” brick sewer in the Ashland / Cossitt intersection. The work started this week and requires the closure of the Ashland / Cossitt intersection for up to 4 days due to the size of the excavation required to install the water main.

4. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Peter White and Ning Jin, owners of Forbidden Noodles located at 50 S. La Grange Road Suite A, were in attendance. They thanked the Village Board and the Liquor Commission for their consideration as they seek an A-1 liquor license authorizing the sale of beer and sake at their location.

5. CONSENT AGENDA AND VOTE

A. Ordinance – Creating an Additional Class A-1 Liquor License, Forbidden Noodles LLC d/b/a Forbidden Noodles

B. Ordinance – Modification of Parking Restrictions on Burlington Avenue between Brainard Avenue and Waiola Avenue

C. Award of Contract – Leaf Hauling and Disposal

D. Award of Contract – 2019 Crack Filling Program

E. Award of Contract – 2019 50/50 Sidewalk Replacement Program

F. Ordinance – Disposal of Surplus Property – Police Department

G. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, June 24, 2019

H. Consolidated Voucher 190708

A motion was made by Trustee Holder and seconded by Trustee McCarty to approve the Consent Agenda as presented.

Trustee Gale inquired as to why there was only one bid for the Crack Filling Program. Public Works Director Gillingham responded that the firm has been the low bidder for the past several years and may have gained economies of scale.

Trustee Holder inquired if the similar situation was occurring in leaf hauling. Mr. Gillingham responded that not as many firms do the work while the cost has stayed constant. The same vendor has been awarded the contract for the past few years with cost only varying based on volume.

Trustee Holder inquired if any local businesses bid on the 50/50 sidewalk program. Mr. Gillingham responded that a few years ago a competitive bid was received from a local company, however none were received this year. This year a new contractor who specializes in sidewalks was awarded the contract.

Trustee Augustine inquired as to the difference between grading sidewalks versus replacing sidewalks. Mr. Gillingham responded that Public Works is currently looking into the possibility of grading sidewalks rather than replacing them. However, it is unlikely to completely replace the 50/50 program as it would still be necessary to replace some sidewalks.

Trustee Augustine stated that in consideration of her relationship with the Village Prosecutor, she recused herself from each item on the voucher related to the Village Prosecutor.

Approved by a roll call vote:

Ayes:	Trustees Augustine, Gale, Holder, Kotynek, Kuchler, and McCarty
Nays:	None
Absent:	None

6. CURRENT BUSINESS

A. Resolution – Cannabis Regulation and Tax Act

President Livingston asked Trustee Gale to introduce the item. Trustee Gale stated that on June 25, 2019, Governor Pritzker signed the Cannabis Regulation and Tax Act which legalizes the sale, possession, and use of cannabis for recreational purposes in limited quantities by persons 21 years and older, beginning January 1, 2020.

The Recreational Cannabis Act sets tax rates on both wholesale transactions by cultivators and retail sales by dispensaries. It also authorizes counties and municipalities to impose local taxes on retail sales. Unlike medical cannabis, the Act allows municipalities to prohibit recreational cannabis facilities if it chooses to do so.

As with medical cannabis, the Recreational Cannabis Act provides, for now, a limited number of licenses that the State will issue for cultivation centers and dispensaries. It is anticipated that the majority of the current medical cannabis facilities will apply to the State for “early approval” licenses to allow those dispensaries to serve both medical and recreational cannabis markets starting January 1, 2020. In addition, existing dispensaries will be permitted to apply for a “secondary site” license which could double the number of licensed recreational dispensaries in the State. After that, the State will have the authority to issue up to 500 total dispensary licenses on a staggered basis through 2022.

Under the Recreational Cannabis Act a municipality may prohibit or significantly limit the location of recreational cannabis businesses by ordinance. The Recreational Cannabis Act itself prohibits a new cannabis dispensary from locating within 1,500 feet of another dispensary (it is not clear whether a municipality may impose a longer distance). If a municipality chooses to permit recreational cannabis dispensaries within its borders, then it may designate the zoning districts within which cannabis businesses may be allowed as a permitted or special use and enact reasonable zoning regulations such as standards for off-street parking, signs, separation from residential uses, and hours of operation, among other things. In addition, the Act appears to give municipalities broad authority to prohibit on-premises consumption (avoiding cannabis “cafes”).

Because the Village’s Zoning Code does not include a recreational cannabis dispensary as an authorized use, those dispensaries currently are not allowed. To avoid any confusion or a claim from a potential owner of a recreational cannabis license that it is a permitted use, Village Attorney Mark Burkland recommends that the Village Board adopt a resolution that commences a Zoning Code review process to consider amendments that would define, classify, and, if appropriate, impose permissible regulatory conditions on the operations of recreational cannabis businesses. This process would be similar to the process that was undertaken in 2013 when the Village studied zoning provisions related to medical marijuana dispensaries. This process would not in any way obligate the Village Board to approve recreational cannabis in any form.

The proposed resolution authorizes and directs staff to begin a process of developing appropriate potential amendments to the Zoning Code and directs the Plan Commission to notice a public hearing regarding those potential amendments within the next 90 days. The resolution also would place current medical cannabis license holders on notice that a recreational cannabis business currently is not allowed within the Village.

Trustee McCarty inquired as to how a cultivation facility can be differentiated when dealing with a crop versus marijuana. Community Development Director Jones responded that current zoning does not allow for any agricultural production facilities.

President Livingston inquired if there is a difference between CBD and cannabis. Village Attorney Burkland responded that it would depend on the form of the product, in some cases CBD could be allowable and in others it is not.

A motion was made by Trustee Gale and seconded by Trustee Kotynek to approve the resolution regarding the cannabis regulation and tax act as presented.

Approved by a roll call vote:

Ayes: Trustees Augustine, Gale, Holder, Kotynek, Kuchler, and McCarty
Nays: None
Absent: None

B. Special Event – La Grange Endless Summerfest

President Livingston asked Trustee Kotynek to introduce the item. Trustee Kotynek stated that the La Grange Business Association partnered with the Park District in order to host the 2019 La Grange Endless Summerfest. The event will include carnival rides, food, drinks, live entertainment, and fireworks. The event hours will be Friday, August 2nd from 4:00 p.m. to 11:30 p.m., Saturday, August 3rd from 11:00 a.m. to 11:30 p.m., and Sunday, August 4th from 10:00 a.m. to 10:30 p.m.

The event will be located in Gordon Park. The Park District / LGBA is seeking Village approval to use the Locust Avenue right of way and municipal Lot 14 for event operations. The street and parking lot closure will begin at 12:01 a.m. on Wednesday July 30. Event parking will principally be provided within the event site, with additional overflow parking located in the Shawmut Industrial Park and via shuttle service to / from Park Junior High.

As in past years, the event is proposed to include a fireworks display on Sunday evening. Section 94.25 of the Village Code grants the President and Board of Trustees the authority to waive the local prohibition on fireworks for the public display of fireworks by properly qualified people under the direct supervision of experts in the handling of fireworks.

A motion was made by Trustee Kotynek and seconded by Trustee Holder to approve the special event – La Grange Endless Summerfest.

President Livingston thanked the LGBA and Park District for their work in coordinating this event.

Approved by a roll call vote:

Ayes: Trustees Augustine, Gale, Holder, Kotynek, Kuchler, and McCarty
Nays: None
Absent: None

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA

Resident Wally Lewandowski, 410 S. 9th Avenue, commented that he was concerned about safety at the Goodman Avenue / 9th Avenue intersection as there is a crosswalk and school bus traffic. Congestion is also present at both the Meadowbrook Manor parking lot and the MI Homes project. He stated that the employee parking lot is designated one way however it is not used properly and employees are currently overcrowding parking. He thanked the Village for adding a third stop sign at the intersection.

President Livingston thanked Mr. Lewandowski for his comments.

Trustee McCarty inquired as to who was parking on 9th Avenue. Ms. Jones responded that complaints are still occasionally received in regards to employees parking on the street near Meadowbrook Manor. She stated that she has reached out to Meadowbrook Manor to resolve the issue.

Trustee Holder inquired if the MI Homes crews park on the construction site. Ms. Jones responded that they do.

Resident Sue Pitts, 75 6th Avenue, expressed concerns with screeching tires and revving engines in the evenings in the parking structure. Chief Bluder responded that Police are enforcing and that residents should continue to call when they hear the problem.

President Livingston thanked Ms. Pitts for her comments and stated that the Village will continue to enforce.

Trustee Holder inquired as to the status of the fiber installation on the parking deck. Mr. Gillingham responded that the fiber installation is nearly complete and the camera vendor will be installing the high resolution cameras within the next few months.

Trustee Augustine inquired as to the location of the cameras. Mr. Gillingham responded that the new cameras would be replacing the existing cameras and additional cameras are planned at the entrances and exits of the garage. All footage collected will be connected back to video recordings. She inquired if audio would be included. Mr. Gillingham responded that it can be looked into.

Resident Randy Valenta, 17/19 S. La Grange Road, stated that he is the owner of the building and a resident of La Grange. He reports that on July 2, there was a downpour that resulted in his basement flooding as the water came in at a rate he has not seen in 10 years.

Mr. Gillingham responded that there was a significant rain event on July 2 that was short in duration but high in intensity. There were other reports of flooding at combined sewers and depressed areas. While not as severe as other events that occurred in 2010 and 2014, it was still a 5 year rain event that resulted in .82 inches of rain in 15 minutes.

President Livingston stated that the Village meets weekly with the MWRD and they report that additional capacity has been added. However, stormwater management remains high on the

Village priority list and the Village continues to work on investments to the system with the MWRD.

Resident Elizabeth Crewe, 429 S. 7th Avenue, stated that she opposes video gaming in La Grange. She stated that there are 25 restaurants within a 3 minute radius of the Village Hall, the market is already saturated, and we do not need any further traffic from video gaming.

President Livingston thanked Ms. Crewe for her comments.

8. TRUSTEE COMMENTS

Trustee Holder thanked the La Grange Country Club for their quick work on finding a new fireworks expert on such short notice after a crew member succumbed to the heat.

Trustee McCarty thanked residents for their comments.


Trustee McCarty suggested that direction be provided to the Zoning Board of Appeals to provide clarification of the definition of hardship.

9. CLOSED SESSION

None.

10. ADJOURNMENT

At 8:36 p.m. Trustee Holder made a motion to adjourn, seconded by Trustee McCarty. Approved by a voice vote.



Thomas E. Livingston, Village President

ATTEST:



John Burns, Village Clerk

Approved Date: August 26, 2019