



Village of Homer Glen

**14933 South Founders Crossing
Homer Glen, Illinois 60491**

December 11, 2012

**Board of Trustees
Board Meeting**

**Village Board Room
14917 South Founders Crossing
Homer Glen, IL**

A. CALL TO ORDER

The meeting was called to order on December 11, 2012 by Mayor Jim Daley at 7:30 p.m. in the Village Board Room, 14917 S. Founders Crossing, Homer Glen.

B. PLEDGE OF ALLEGIANCE TO THE FLAG**C. ROLL CALL**

Present at 7:30 p.m. were Mayor Jim Daley, Trustees Marcia DeVivo, Tedd Kagianas, Mary Niemiec and George Yukich. Trustee Margaret Sabo joined the meeting at 7:43 p.m. All remained throughout the meeting. Trustee Mike Costa was not present. Also present on behalf of the Village were Village Clerk Gale Skroboton, Village Manager Cameron Davis, Economic Development Director Janie Patch, Development Services Director Mike Salamowicz, Assistant to the Village Manager-Planning and Zoning Erin Venard, Finance Director John Sawyers and Village Attorney Cary Horvath.

A quorum was established.

D. AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

E. APPROVAL OF MINUTES**October 9, 2012 Village Board Meeting**

Trustee DeVivo made a motion to approve the October 9, 2012 Village Board meeting Minutes; second by Trustee Yukich.

Voice Vote:

All in favor: (4) Trustees DeVivo, Kagianas, Niemiec and Yukich

Nays: (0) None

Absent: (2) Trustees Costa and Sabo

Motion Carried.

F. ACCOUNTS PAYABLE

Trustee DeVivo made a motion to approve the Accounts Payable for the period November 29, 2012 to December 12, 2012 in the amount of \$413,974.06; second by Trustee Niemiec.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (4) Trustees DeVivo, Kagianas, Niemiec and Yukich

Nays: (0) None

Abstained: (0) None

Absent: (2) Trustees Costa and Sabo

The Mayor did not vote.

Motion Carried.

G. PUBLIC HEARING

1. Public Hearing to Consider and Hear Testimony Concerning an Ordinance Authorizing the Execution of an Annexation Agreement for Approximately 52 Acres of Property Located on the North Side of 159th Street Approximately One-Quarter to One-Half Mile East of Cedar Road, Homer Glen, Illinois.

Trustee DeVivo made a motion to open the Public Hearing; second by Trustee Kagianas.

Voice Vote:

All in favor: (4) Trustees DeVivo, Kagianas, Niemiec and Yukich

Nays: (0) None

Absent: (2) Trustees Costa and Sabo

Motion Carried.

The Public Hearing was opened at 7:32 p.m.

Mayor Daley asked if there was any Public Comment concerning the Ordinance Authorizing the Execution of the Annexation Agreement.

There was no Public Comment.

Trustee DeVivo made a motion to close the Public Hearing; second by Trustee Yukich.

Voice Vote:

All in favor: (4) Trustees DeVivo, Kagianas, Niemiec and Yukich

Nays: (0) None

Absent: (2) Trustees Costa and Sabo

Motion Carried.

The Public Hearing was closed at 7:33 p.m.

H. REPORTS AND COMMUNICATOINS FROM MAYOR AND OTHER OFFICERS

1. Mayor Daley reported:

- . The Board of the Northern Will County Water Agency instructed the Agency's attorney to file a lawsuit against American Lake Water for the eventual acquisition of the Bedford Park Water Transmission Line. The Agency's Board was unanimous in supporting this action. This is a major step forward in both the Agency's and Homer Glen's efforts to stabilize out-of-control water rates charged by American Lake Water/Illinois American Water. The Mayor congratulated his fellow NWCWA Board members and Homer Glen Board members on taking this important step.
- . The Mayor reminded residents that vehicles should be removed from the streets when there is over 2" of snow on the ground. If a snow storm is coming residents should move their vehicles in advance to allow the Homer Township Highway Department to salt and clear our roads. The Mayor stated that anyone who parks on the road should remove their vehicles immediately following a snowfall of 2" or more, otherwise the vehicle may be towed and/or a ticket could be issued. Additional information is available on the Village of Homer Glen's website at www.homerglen.org.
- . Mayor Daley stated that a representative from the Center for Open Government, at the ITT Chicago-Kent College of Law, attended Homer Glen's EMA meeting on November 2nd to check for compliance with the Open Meetings Act. The representative reported the Village's full compliance with the Act and noted that the meeting location was easily accessible, meeting materials were readily available and the meeting itself was conducted in full accordance with Illinois law. The Executive Director of the Center for Open Governments commended the Village of Homer Glen for its dedication to being a model public body of openness in Illinois. The Mayor congratulated EMA Coordinator John Robinson for helping the Village to ensure transparency in government practices.
- . The Mayor congratulated the Homer Stallions Widget Gold football team for finishing their season with a 27-0 championship victory over the Orland Pioneers at the New Lenox Widget Bowl.
- . Mayor Daley reported that today he and his wife, along with Village Manager Davis were guests at the Homer Township Senior group's holiday party. The Mayor thanked the Senior group for their invitation.
- . The Mayor stated that the Village Hall will be closed on December 24th and 25th in observance of the Holiday. He wished everyone a Merry Christmas and a safe and happy holiday season.

2. Trustees:

a. Trustee DeVivo reported:

- . Trustee DeVivo thanked the members of the Parks and Recreation Committee for another year of accomplishments and also the Village Staff members and Manager Davis for all the help they have given to the Committee throughout the year. Trustee DeVivo stated that during 2012 the Committee accomplished many things including: (1). Created the Parks Rules and Regulations ordinance; (2). Purchased additional land for the Erin Hills Park; (3). Applied for a grant to help fund the construction of a park in the Goodings Grove subdivision; (4). Completed the Hiawatha connection of the Heroes Trail System; (5). Continued to work with IDOT and ComEd on the final design and approvals of the south extension of our Heroes Trail from Martingale to 159th Street; (6) Recommended the future installation of warning signals at the trail crossing on Parker Road; and (7) Continued working on the revision of the Parks Master Plan, with a recommended update to be finished in early 2013.

Trustee DeVivo stated that as the trail system grows, the Committee will continue to watch for opportunities to add signage. In order to help guide residents to our local parks the Village has asked the Highway Department to make some directional park signs which will be installed at designated locations.

b. Trustee Niemiec reported:

- . A Senior Representative from Illinois American Water attended the recent Sewer and Water Task Force meeting and shared information regarding the Northern Will County Water Agency's decision to file a lawsuit against Illinois American. The rate increases were also discussed and the representative from IAW stated that Homer Glen residents who are on IAW water and sewer received notification from Illinois American explaining the justification for the rate increase. Trustee Niemiec stated that the Illinois Commerce Commission reduced the amount of IAW's request for the sewer increase by \$750,000.00.
- . Trustee Niemiec announced that for the second year in a row Homer Glen resident Patrick Ward, who plays senior offensive lineman for Northwestern was named to the Capital One Academic All-American First Team. Patrick was also one of the 15 players in the country who were nominated for the recent Campbell Award which is the academic Heisman. Trustee Niemiec noted that Patrick is graduating early from Northwestern with a degree in mechanical engineering with a 3.94 GPA and will be playing his 40th consecutive start for Northwestern at the Gator Bowl on January 1st.

c. Trustee Kagianas reported:

- . Trustee Kagianas stated that this past week a ground breaking ceremony was held at Victorian Village for construction of their new facilities. In addition, a ribbon cutting was held this afternoon at Old Oak Florist which is located just north of Dominick's. Trustee Kagianas wished Victorian Village and Old Oak Florist much success and best of luck.
- . Economic Development Director Janie Patch attended the recent Community and Economic Development Committee meeting and discussed some of her goals and plans for 2013.

d. Trustee Yukich reported:

- . The Public Services and Safety Committee met and asked residents to keep their speed down during the winter season and not to shovel snow back into the streets after the Highway Department plows the roads.

e. Trustee Sabo reported:

- . Earth Day~Arbor Day

Trustee Sabo stated that the Environment Committee is looking forward to planning the Earth Day~Arbor Day Festival for May of 2013. New ideas have been discussed, inquiries have been received from those who wish to participate next year and additional handmade crafters have been investigated.

- . Lighting Ordinance

The Environment Committee has shared a few ideas with the Village attorney about compliance and related issues with the Lighting Ordinance and the ability to assist businesses when they are interested in remodeling or retrofitting lighting. At this time, the Committee is waiting for the Village attorney's response regarding research that has been completed by his firm.

- . Homer Glen Lands Day

Homer Glen Lands Day photographs from the Award Ceremony and Tree Planting are now on the Village website, www.homerglen.org.

3. Village Treasurer John Sawyers read into the record the Treasurer's Report, with ending balances as of November 30, 2012.

General Fund	\$ 6,540,072.12
Motor Fuel Tax Fund	\$ 1,652,971.25
Land Acquisition Fund	\$ 1,239,834.68
Park Fund	\$ 843,759.81
Capital Project Fund	\$22,470,960.25

4. Village Clerk – No Report

5. Village Attorney – No Report

6. Task Force Chairperson(s) – No Report

7. Public Safety Officials – No Report

8. Village Manager Davis reported:

- . Manager Davis stated that the pipeline work that has been going on throughout the Village has been suspended through the holiday season and will resume after the first of the year.
- . Manager Davis reported that recently Village staff has been meeting with an increasing number of both residential developers and potential commercial shop owners. The Village staff is very optimistic about 2013.
- . Manager Davis stated that as a proud alumnus, the Huskies of Northern Illinois will be playing in the Orange Bowl on January 1st.

I. PUBLIC COMMENT

1. Bob Schmidt, 13515 West 159th Street, commended the Board and the Northern Will County Water Agency for trying to lower the water rates in Homer Glen, but he has major doubts. He stated that no one has determined the specific cost to the Water Agency for the acquisition of the pipeline and he questioned how much money will be spent by the Agency on attorney's fees.

Mayor Daley stated that for the record, a professional appraisal was completed by the Agency before a purchase offer was made to American lake Water/Illinois American Water.

J. LEGISLATION AND ACTION ITEMS

1. **Motion to Approve a Proclamation in Support of national Drunk and Drugged Driving Prevention Month, December 2012.**

Trustee Yukich made a motion to approve the Proclamation; second by Trustee DeVivo.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Kagianas, Niemiec, Sabo and Yukich

Nays: (0) None

Abstained: (0) None

Absent: (1) Trustee Costa

The Mayor did not vote.

Motion Carried.

2. Ordinance No. 12-052 – An Ordinance Authorizing the Execution of an Annexation Agreement Between the Village of Homer Glen, Illinois and the First Midwest Bank as Successor Trustee Pursuant to a Trust Agreement Dated September 18, 1987, and Known as Trust Number 72-20270.

Trustee Kagianas made a motion to approve Ordinance No. 12-052; second by Trustee DeVivo.

Trustee Niemiec questioned how “similarly situated property” is defined as written in the ordinance. She voiced her concern about language in an annexation agreement that may lend itself to interpretation.

Attorney Horvath stated that the language suggests that properties that are similarly zoned or seeking to connect in the same way to the sewer system will be treated the same in terms of how the Village will allocate the cost of construction, installation and connection to the sanitary sewer line.

Trustee Niemiec questioned if a property is annexed into the Village in the future that has a greater potential for sales tax will this particular property benefit from a future properties attractive position with the Village. She asked whether this property owner would pay parts of recapture and tap-in.

Manager Davis stated the sales tax sharing agreements would have to be looked at separately from any water and sanitary agreements. There could be a sales tax sharing agreement with a property owner in connection with a water and sanitary agreement and there may not be that same sales tax sharing agreement with another property owner in a similar situation.

Trustee Niemiec noted that her concern is that the Village is agreeing to something that hasn't happened yet.

Attorney Horvath stated that the language in the ordinance will permit the property owner to connect to the sanitary line and be serviced by the Village in the same terms and conditions as other similarly situated properties provided they reimburse the Village for their portion of the total cost of construction and installation of the sanitary sewer line improvements allocable to the property. Once the Village is reimbursed for the costs the property owner would then be allowed to connect and be serviced on the same terms as anyone else that is connecting and being serviced in the Village. Attorney Horvath stated that the language in the ordinance that is of concern to Trustee Niemiec has nothing to do with changing cost, recapture or tap-ins.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (1) Trustee Costa

The Mayor did not vote.

Motion Carried.

3. **Ordinance No. 12-053 – An Ordinance Annexing Certain Territory to the Village of Homer Glen, Illinois (First Midwest Bank as Successor Trustee Pursuant to a Trust Agreement Dated September 18, 1987, and Known as Trust Number 72-20270).**

Trustee Kagianas made a motion to approve Ordinance No. 12-053; second by Trustee DeVivo.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (1) Trustee Costa

The Mayor did not vote.

Motion Carried.

4. **Ordinance No. 12-054 – An Ordinance Granting a Map Amendment Amending the Zoning Classification of Certain Real Property, Hereinafter Legally Described and Located Generally on the North Side of 159th Street Approximately One-Quarter to One-Half Mile on Cedar Road, Homer Glen, Illinois from the E-1, Single Family Estate Residential District to the C-3 General Business District (First Midwest Bank as Successor Trustee Pursuant to a Trust Agreement Dated September 18, 1987, and Known as Trust Number 72-20270).**

Trustee Kagianas made a motion to approve Ordinance No. 12-054; second by Trustee Yukich.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (1) Trustee Costa

The Mayor did not vote.

Motion Carried.

5. **Motion to Approve the 2013 Meeting Calendars for the Village Board, Plan Commission and the Village Committees/Task Force with One Correction as Shown on the Attached List. The Sewer and Water Task Force will not be meeting on December 23rd, as listed, but will be meeting instead on December 16, 2013.**

Trustee Sabo made a motion to approve the 2013 Meeting Calendars; second by Trustee DeVivo.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (1) Trustee Costa

The Mayor did not vote.

Motion Carried.

6. **Motion to Approve the Amount of \$35,873.00 to be Paid to the Northern Will County Water Agency for the Village of Homer Glen's Portion of the Northern Will County Water Agency's Annual Budget.**

Trustee DeVivo made a motion to approve the payment of the Village of Homer Glen's portion of the annual budget to the Northern Will County Water Agency; second by Trustee Kagianas.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (1) Trustee Costa

The Mayor did not vote.

Motion Carried.

7. Ordinance No. 12-055 – An Ordinance Accepting Certain Public Improvements in the Amberfield Townhomes Subdivision.

Mayor Daley noted that it is understood that the roadways, which include the pavement and curb and gutter, are the only public improvements to be accepted by the Village at this time. These roads include the following: Sweetwater Drive, Aster Lane and Glover Lane.

Trustee Yukich made a motion to approve Ordinance No. 12-055; second by Trustee Sabo.

Manager Davis thanked Development Services Director Mike Salamowicz and H.R. Green for how quickly the road paving was completed.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (1) Trustee Costa

The Mayor did not vote.

Motion Carried.

8. Motion to Approve the Amendment to the Intergovernmental Agreement with Homer Township and Homer Highway Department, to Include Language Related to Dram Shop Insurance for the 2013 Homer Community Festival on June 20 thru June 23, 2013.

Trustee Yukich made a motion to approve the amendment to the Intergovernmental Agreement; second by Trustee Sabo.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (1) Trustee Costa

The Mayor did not vote.

Motion Carried.

K. WORKSHOP ITEMS

There were no Workshop Items.

L. OLD BUSINESS

There was no Old Business.

M. NEW BUSINESS

There was no New Business.

N. EXECUTIVE SESSION

There was no Executive Session.

O. ADJOURNMENT

Trustee Sabo made a motion to adjourn the meeting; second by Trustee DeVivo. .

Voice Vote:


All in favor: (5) Trustees DeVivo, Kagianas, Niemiec, Sabo and Yukich

Nays: (0) None

Absent: (1) Trustee Costa

Motion carried.

The meeting was adjourned at 8:03 p.m.



Gale Skroboton, Village Clerk

Approved at the Board of Trustees Meeting dated January 8, 2012