



# **Village of Homer Glen**

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

**July 26, 2011**

**Board of Trustees**

## **Board Meeting**

**Village Council Chamber  
14917 South Founders Crossing  
Homer Glen, IL**

**A. CALL TO ORDER**

The Public Hearing on the Proposed Development Plan for the Property at the Northeast Corner of 159<sup>th</sup> and Parker was called to order on July 26, 2011 by Mayor James Daley at 7:10 p.m. in the Village Council Chamber – 14917 South Founders Crossing, Homer Glen.

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

Present at 7:10 p.m. were Mayor Jim Daley, Trustees Marcia DeVivo, Mary Niemiec, and Margaret Sabo. Trustee George Yukich arrived at 7:17 p.m. All remained present throughout the meeting. Trustees Mike Costa and Tedd Kagianas were not present. Also present on behalf of the Village were Village Clerk Gale Skroboton, Village Manager Gary Holmes, Community Development Director Ed Cage, Development Services Director Mike Salamowicz, Assistant to the Village Manager Heather Parker, Finance Director John Sawyers, and Village Attorney Cary Horvath.

A quorum was established.

Mayor Daley summarized the development proposal from Gallagher and Henry for the property at 159<sup>th</sup> and Parker:

- . The original development proposal submitted from Gallagher and Henry approximately four years ago did not conform to our zoning ordinance and was not consistent with the Village's Comprehensive Plan. The project was too dense and sought too many variations and the Village Board denied this proposal.
- . As a result of this action, the developer filed a lawsuit against the Village and we have been defending that suit for the past several years.
- . At the suggestion of the presiding Judge, the parties have worked on developing a land use concept which is consistent with Village ordinances and the Comprehensive Plan.

Village Manager Holmes summarized the key points that have been negotiated for the proposed settlement:

- . The total dwelling count has been reduced from 307 total units to 240, consisting of 109 single-family residents, 91 townhomes and 40 rowhomes.
- . 112 condominium units have been eliminated.
- . All 109 single-family residential lots will have a minimum of 15,000 square feet.
- . The scale of the townhomes has been reduced. There are now 19 buildings with 4 units/building and 5 buildings with 3 units/building.
- . The number of single-family residences has been increased from 96 to 109, and the total number of multi-family townhomes and rowhomes has been decreased by 80 units from 211 to 131.
- . The 40 rowhomes and 13 of the single family lots will be located in the area where the condominiums were originally proposed to be located.
- . The total area of the two parks is 7.98 acres which exceeds the minimum park acreage of 7.74 acres required by Village ordinance. This does not include the open play recreation area of 1.66 acres that is located in the single-family residential area.
- . Pinto Drive has been reconfigured to eliminate the straight route through the residential areas.
- . The proposal includes a bike trail/walking trail/sidewalk beginning in the northeast corner of the single-family development; continuing as a sidewalk trail in the northwest portion of the single-family development and existing in the northwest corner of the development.

- The approval of the preliminary plat for the PUD is subject to approval of final engineering and compliance with the existing Village Lighting Ordinance, Existing Tree Preservation Ordinance and the Stormwater Detention Ordinance in effect at the time when the application is made.
- The Village will grant exceptions for lot width for lots 9 and 87 through 91 and, if required, street right-of-way exceptions near the central park area.
- The final design items will include appropriate buffers for the detention pond next to Pinto Drive on the north side of the subdivision. The design of the detention areas will also be more aesthetically pleasing.
- The off-set in the road at the intersection on the west side between single-family sections just east of Parker Road have been straightened out.
- Gallagher and Henry will be granted a waiver of the “lapse period” for initiating development for a period of one year after completion of the 159<sup>th</sup> Street improvements by IDOT.
- The two large detention ponds immediately to the north of the commercial parcels will be designed so they resemble ponds or small lakes.

The Mayor opened the meeting for Public Comment.

1. John Kooi, 12056 Venetian Way asked why no information had been given to the public until tonight’s meeting.

Howard Priess, attorney for Gallagher and Henry, explained the components of the proposed residential development and the future commercial area.

Trustee Sabo asked for an explanation of the “lapse period” for initiating development for a period of one year after completion of the 159<sup>th</sup> Street improvements by IDOT.

Village Attorney Horvath commented that generally under the Village ordinance the developer has one year within which to begin development after a preliminary PUD has been approved. Because of the 159<sup>th</sup> Street improvements the developer has made it very clear that they will not begin to do anything to this particular project until they know what will be done and completed on 159<sup>th</sup> Street. Rather than have the developer come back to the Board to request an extension, it has been agreed that the “lapse period” will begin to run when the 159<sup>th</sup> Street project is complete.

2. John Leahy, 13231 Maverick Trail stated that his property backs up to the Gallagher and Henry property and asked why residents were not notified of the Public Hearing.

Mayor Daley stated that a Legal Notice for the Public Hearing was published in the newspaper.

John Murphy, outside counsel to the Village explained that residents will have two full weeks to look at the proposed plan before the Board takes the final vote.

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

*The Mayor asked the Clerk to call the Roll:*

Roll Call Vote:

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

Nays: (0) None

Abstain: (0) None

Absent: (2) Trustees Costa and Kagianas

The Mayor did not vote.

*Motion carried.*

*The Public Hearing was closed at 7:31 p.m.*

Trustee DeVivo made a motion to authorize the Village Attorney to prepare a necessary ordinance approving the Preliminary Planned Unit Development from Gallagher and Henry for the development of this project; second by Trustee Niemiec.

Trustee Niemiec commented that she has no problem moving forward with establishing an ordinance, but would like the ordinance to potentially incorporate any comments we may receive from the public and allow for discussion at the next Board meeting. Trustee Niemiec asked if Staff could be directed to send a note to surrounding subdivisions to make residents aware that this project is moving forward.

The Mayor asked the Village Manager to notify the residents.

*The Mayor asked the Clerk to call the Roll:*

Roll Call Vote:

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

Nays: (0) None

Abstain: (0) None

Absent: (2) Trustees Costa and Kagianas

The Mayor did not vote.

*Motion carried.*

#### **D. APPROVAL OF AMENDMENTS TO AGENDA**

There were no amendments to the agenda.

#### **E. APPROVAL OF MINUTES**

July 12, 2011- Board Meeting

Trustee DeVivo made a motion to approve the Board Minutes of July 12, 2011; second by Trustee Niemiec.

Voice Vote:

All Ayes: (3) Trustees DeVivo, Niemiec, and Yukich

Nays: (0) None

Abstain: (1) Trustee Sabo

Absent: (2) Trustees Costa and Kagianas

The Mayor voted Aye.

*Motion carried.*

#### **F. SCHEDULE OF ACCOUNTS PAYABLE**

Trustee DeVivo made a motion to approve the Accounts Payable for the period June 30, 2011 to July 27, 2011 in the amount of \$583,151.05; second by Trustee Niemiec.

*The Mayor asked the Clerk to call the Roll:*

Roll Call Vote:

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

Nays: (0) None

Abstain: (0) None

Absent: (2) Trustees Costa and Kagianas

The Mayor voted Aye.

*Motion carried.*

#### **G. REPORTS AND COMMUNICATIONS FROM MAYOR AND OTHER OFFICERS**

## 1. Mayor Daley reported:

- . The Lemont Car Club has hosted a classic car show over the last several years during the summer months on Saturday evenings in the Sears Essential parking lot. On July 16<sup>th</sup> there were issues with crowd and traffic control which led to the car show being shut down early that evening. Sears has informed the Village that they are no longer interested in hosting the car show in their parking lot. The Mayor stated that he has spoken with member of the Lemont car show and they would like to continue having the event in the Sears parking lot. The Mayor encouraged the members of the car club to speak with other businesses in Homer Glen so that they could possibly relocate their event.
- . The Mayor congratulated:
  - The Homer Fire 7U baseball team for winning at the Troy Titans Tournament in Shorewood. The team finished 5-0 in the tournament and outscored their opponents 61-5 over the five games.
  - Illinois Crush 9U team, which is made up of players from Homer Glen, Lockport and Crest Hill. This team recently won the Silver East Championship and then went on to beat the Silver West Champions to become the Silver Division Champions.
  - Homer's 10U Illinois Crush. This team recently won the division title in the Western Suburban Baseball league.
  - Homer Lady Fire 10U team who took first place at the Orland Park Fourth of July Tournament with an 11-0 win against Frankfort.
  - The Mayor congratulated Liz Phillips, a junior cross country and track star at Washington University in St. Louis. Liz was just named a Capital One First Team Academic All-American. She is the first Washington University women's track and field student athlete to garner academic All-American honors since 2008 and is the fifth female in program history to receive first team academic All-American honors. Liz also competed at 3 NCAA Championship meets in the 2010-2011 season and earned All-American honors in those 3 events.

## 2. Trustees

## a. Trustee Yukich reported:

- . The Gallagher and Henry development is a good project; however, he would liked to have seen a sign on the property notifying residents of the Public Hearing, and asked that signs be put on the property at this time.
- . He contacted Sears Holdings regarding the car show and was told that they saw no problem with having the car show continue to use their property, unless the store manager did not want it. Trustee Yukich suggested that the Lemont Car Club continue to talk to Sears.

Mayor Daley stated that he talked with the Regional Director and he will give her phone number to the Car Club.

## b. Trustee Sabo reported:

**ENVIRONMENT COMMITTEE****Homer Glen Lands Day**

The 10<sup>th</sup> year for Homer Glen Lands Day will be celebrated at the Village on September 27<sup>th</sup>. In the past, Community and Nature in Harmony Awards have been presented at the beginning of a Board meeting. The meetings have been scheduled for 7 p.m. to accommodate the ceremony.

Nominations will continue to be accepted until August 1<sup>st</sup> for business, individuals, organizations and government agencies which have shown preservation, restoration, and/or beautification of land in the Homer Glen community.

**151<sup>st</sup> & Bell Road Project**

Cub Scout Pack 62 with Leader Lori Spizzuri will be donating two trees to be planted at the 151<sup>st</sup> and Bell Road Prairie Style Garden Project. The two native hickory trees will be planted when conditions are appropriate for the planting of trees.

**Environment Committee Members**

The Environment Committee is seeking more members to help with its community efforts. Contact the Village or volunteer through the Homer Glen website.

**Homer Harvest Days**

Residents are reminded that this year's Homer Harvest Days festival will take place on Saturday, September 10<sup>th</sup> (11 am-6 pm) and Sunday, September 11<sup>th</sup> (11 am-5 pm) at the Trantina Farm on 151<sup>st</sup> Street. We are pleased to welcome this year's musical entertainment:

- On Saturday, the Juggernaut Jug Band will be performing jug band music, which is a mixture of Jazz, blues, swing and ragtime music played on washboards, wash tubs, jugs, and other conventional instruments. This type of music was first played in the 1920's. Their performance will highlight various styles of music, from traditional jug tunes from Louisville and Memphis, to popular and obscure tunes from the 1920's-40's, original tunes, and even parodies of contemporary favorites.
- On Sunday, The Hoyle Brothers will be performing authentic honky-tonk style country music with a mix of original songs and covers by such artists as Merle Haggard, Willie Nelson, Ray Price, Waylon Jennings, and others. Their music covers a range of country music from the 1950's, 60's and 70's.
- In addition to music, Homer Harvest Days will feature demonstrators and other entertainment as well as a wide variety of games, activities, and of course food. A future report will highlight some of the authentic demonstrators who will be showing skills of life on the farm before modern technology. For more information on Homer Harvest Days, please visit our website at [homerharvestdays.org](http://homerharvestdays.org).

c. Trustee Niemiec reported:

- . Senate Bill 83 provides the Joint Water Action group that Homer Glen has joined, to pursue acquisition of the Bedford Park pipeline which supplies us with our Lake Michigan water. The Bill has passed both the House and the Senate and is sitting on the Governor's desk. This Board will be voting on a Resolution asking the Governor to sign the Bill. The Sewer and Water Task Force Meeting is reaching out to the residents of Homer Glen and asking them to email the Governor's staff to encourage the Governor to sign this piece of legislation that helps Homer Glen do what we were incorporated to do and get a little bit of control of our own destiny.
- . Last week the Board approved a study by Robinson Engineering to look at that operations and maintenance costs if we were to pursue acquisition of our local distribution as well. The Village is moving forward and addressing the fact that we have the highest water and sewer rates in the State.

Mayor Daley stated that today he received an email that the Governor would like to meet with him and the other four Mayors on August 3<sup>rd</sup> at 2:00 p.m. to discuss Senate Bill 83.

d. Trustee DeVivo reported:

- . We are waiting for the contract from the State on the OSLAD Grant for Erin Hills Park, and once it is received a kick-off meeting will be held.
- . The Parks and Recreation Committee discussed the Yangas Park trail, Kingston Hills signage, and the upcoming "Picnic in the Park". The picnic will be held at Stonebridge Park and three different events and food will be served. The Committee will meet on August 22<sup>nd</sup> at 7:30 p.m.

3. Village Treasurer John Sawyers and read into the record the Treasurer's Report, with ending balances as of June 30, 2011.

General Fund	\$ 4,557,914.46
Motor Fuel Tax Fund	\$ 1,470,819.13
Land Acquisition Fund	\$ 694,953.85
Park Fund	\$ 1,019,225.38
Capital Project Fund	\$ 1,491,927.30
Tollway Fund	\$ 579,416.31

4. Village Clerk Gale Skrobuton reported that a Village-wide Sidewalk Sale will be held on Saturday, August 13<sup>th</sup> as we continue with monthly special events in celebration of the Village's 10<sup>th</sup> Anniversary. Other events being planned include a Picnic in Stonebridge Park; "Dine in Homer Glen" contest that will promote and feature the restaurants in the Village; Public Services and Safety Day with participation from the Fire Districts, Will County Police and EMA; Business Recognition and Open House; and our Tree Lighting ceremony and a visit from Santa.

5. Village Manager – No Report

Mayor Daley stated that Village Manager Gary Holmes is retiring and thanked him for doing a fantastic job and the Village greatly appreciates him stepping in and working with us for the last ten months.

6. Village Attorney – No Report
7. Task Force Chairperson(s) – No Report
8. Public Safety Officials – No Report

#### H. PUBLIC COMMENT

1. John Takouskas, 16751 S. 135<sup>th</sup> Street, President of the Lemont Classic Car Club, stated that the Car Club has been meeting in the Sears parking lot for the past 7 years and during that time they have promoted Sears through various media. The Car Club is a registered non-profit organization and their donations have helped numerous local charities. He commented that they have been talking to Sears and dealing with corporate and are hoping that this can be resolved.
2. Barb Netzke, 14110 Ann K Drive commented that the Car Club members are dedicated to helping others and are not out there for themselves. The Car Club is not only a value, but a necessity to our community who help people during this difficult economic time. Visitors to the weekly car shows also generate more business in Homer Glen and to the restaurants. She asked the Board to help resolve the issues that came up on the night of the removal of the Car Show.
3. Kurt Seiler, 426 Kelly Ct., Romeoville, stated that he has worked with the Car Club for the past few months and they are very willing to help out and volunteer any time they are asked.
4. Ken Seiler, 108 Timerline Drive, Lemont, distributed a list to the Board showing the number of Cruise Nights held during the year in neighboring communities. He asked the Mayor and Trustees to work with the Car Club and Sears in resolving this issue.
5. John Kooi, 12056 Venetian Way asked who is responsible for making sure the contractors who are working on the Bike Trail put up the silt fences and inspect the work. He is concerned that the concrete is not put in properly and will need to be replaced within six months.
6. Dennis Gerwing, 12250 W. Derby Lane commented that he received information from the Village Manager regarding the policy of local municipalities for storing of refuge receptacles. He commented that he will be submitting a proposal to the Board for R3, R4, and R5 lots in mind for storage of refuge receptacles.

**I. LEGISLATION****1. Resolution No. 11-012 - A Resolution in Support of Senate Bill 83.**

Trustee Niemiec made a motion to approve Resolution No. 11-012; second by Trustee DeVivo.

Village Manager Gary Holmes stated that the Joint Action Water Agency communities are requesting that the individual communities adopt a resolution in support of Senate Bill 83. Both the Senate and the House approved this legislation at the end of the last legislative session. The bill is now waiting for the Governor's signature. A meeting between the sponsors of the legislation – Senator Wilhelmi and Representative McAsey with the Governor was held last Friday.

*The Mayor asked the Clerk to call the Roll:*

Roll Call Vote:

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

Nays: (0) None

Abstain: (0) None

Absent: (2) Trustees Costa and Kagianas

The Mayor voted Aye.

*Motion carried.*

**2. Household Hazardous Waste Collection Event****a. Motion to Authorize the Mayor to Enter into an Agreement with District 33C for the Use of a Parking Lot for the Household Hazardous Waste Collection Event.**

Trustee Sabo made a motion to Authorize the Mayor to enter into the agreement; second by Trustee DeVivo.

Assistant to the Village Manager Heather Parker reported that as part of the Village's agreement with NuWay Disposal, an environmental surcharge of \$100 per quarter per unit is collected on each bill. The proceeds of this surcharge were distributed to the Village for the funding of a recycling event. Staff is working with the Will County Land Use Department to prepare for our annual Household Hazardous Waste Event on Saturday, October 29<sup>th</sup> from 8 a.m. – 3 p.m. at the Hadley Middle School parking lot. School District 33-C has requested that the Village complete a Facilities Use form for the use of the parking lot. This agreement required the Village to abide by terms of use such as indemnifying the school district, supplying safety personnel for the event and providing an insurance certificate naming School District 33-C as an additional insured.

The agreement remains the same for the County, except Staff has renegotiated the amount that the Village will reimburse the County for the contractor services. Last year the County was reimbursed \$10,000.00 and this year the Village will be required to pay \$7,500.00.

*The Mayor asked the Clerk to call the Roll:*

Roll Call Vote:

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

Nays: (0) None

Abstain: (0) None

Absent: (2) Trustees Costa and Kagianas

The Mayor voted Aye.

*Motion carried.*

**b. Motion to Authorize the Mayor to Enter into an Intergovernmental Agreement between the Village and the County of Will for the Household Hazardous Waste Collection Event.**



Trustee Sabo made a motion to Authorize the Mayor to enter into the agreement; second by Trustee DeVivo.

*The Mayor asked the Clerk to call the Roll:*

Roll Call Vote:

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

Nays: (0) None

Abstain: (0) None

Absent: (2) Trustees Costa and Kagianas

The Mayor voted Aye.

*Motion carried.*

**3. A Text Amendment to Ordinance No. 08-048 Entitled “The Village of Homer Glen Zoning Ordinance” Amending the Sign Regulations in Agricultural and Residential Zoning Districts.**

Trustee DeVivo made a motion to approve the Text Amendment; second by Trustee Niemiec.

Community Development Director Ed Cage stated that the Village is proposing a Zoning Text Amendment that would allow some reasonable signage for both schools and roadside farm stands. Currently there is no provision for these types of signs outside of obtaining either temporary signs or a variance, which is very restrictive. Schools would be permitted one sign with a maximum of 24 square feet and farm stands would be permitted one sign with a maximum of 18 square feet. The Plan Commission voted to approve the Zoning Text Amendment at their July 18, 2011 meeting, as amended.

*The Mayor asked the Clerk to call the Roll:*

Roll Call Vote:

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

Nays: (0) None

Abstain: (0) None

Absent: (2) Trustees Costa and Kagianas

The Mayor voted Aye.

*Motion carried.*

**4. Motion to Authorize the Mayor to Enter into an Agreement with N.J. Pete Pointner to Provide Consulting Services for Proposed Telecommunications Tower on 143<sup>rd</sup> Street.**

Trustee Sabo made a motion to Authorize the Mayor to enter into the agreement; second by Trustee DeVivo.

Community Development Director Ed Cage stated that Mr. Pointner is proposing to provide consulting services with some assistance from Planning Resources Inc. to the Village in regards to a Special Use Permit Application from T-Mobile on the south side of 143<sup>rd</sup> Street and west of Bell Road.

The proposal details a not-to-exceed amount of \$6,900.00 for 21 hours of Mr. Pointner’s time and 29 hours of Planning Resources Inc. time.

The proposed T-Mobile cell tower was discussed at a Plan Commission meeting on January 17, 2011 and it was continued at that meeting. The applicant then requested a continuance of the project for 150 days in April and that time period is coming to a close and it is anticipated that this application will come back before the Plan Commission in August.

*The Mayor asked the Clerk to call the Roll:*

Roll Call Vote:

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

Nays: (0) None  
Abstain: (0) None  
Absent: (2) Trustees Costa and Kagianas  
The Mayor voted Aye.  
*Motion carried.*

#### **J. WORKSHOP ITEMS**

There were no Workshop Items

#### **K. OLD BUSINESS**

There was no Old Business

#### **L. NEW BUSINESS**

Mayor Daley told the Lemont Car Club that he would be willing to help in any way to negotiate with Sears to work something out.

#### **M. EXECUTIVE SESSION**

Trustee Niemiec made a motion to recess to Executive Session the purpose of discussion of Employment Compensation, Discipline, Performance or Dismissal of Certain Employees 5 ILCS 120/2 (c) (1); Action on Matters Concerning Employee Reclassification and Compensation; and Discussion of Candidates for the Position of Village Manager 5 ILCS 120/2 (c) (1); second by Trustee Sabo.

The Board recessed to Executive Session at 8:27 p.m.

Trustee Yukich made a motion to reconvene the Board Meeting; second by Trustee Sabo.

Voice Vote:

All Ayes: (4) Trustees DeVivo, Niemiec, Sabo and Yukich

Nays: (0) None

Absent: (2) Trustees Costa and Kagianas

*Motion carried.*

The Board reconvened the meeting at 9:42 p.m.

Present at 9:42 p.m. were Mayor Jim Daley, Trustees Marcie DeVivo, Mary Niemiec, Margaret Sabo and George Yukich. Village Clerk Gale Skroboton, Village Manager Gary Holmes, and Village Attorney Cary Horvath.

Trustee Yukich made a motion to authorize an average net wage increase of 2.77% for all full-time employees; second by Trustee DeVivo.

*The Mayor asked the Clerk to call the Roll:*

Roll Call Vote:

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

Nays: (0) None

Abstain: (0) None

Absent: (2) Trustees Costa and Kagianas

The Mayor voted Aye.

*Motion carried.*

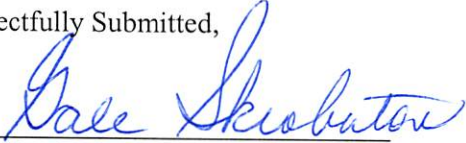
In Executive Session the Board discussed the search for the Village Manager and came to a consensus on one individual, and Voorhees Associates LLC will negotiate a contract with the selected candidate.

**N. ADJOURNMENT**

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

The meeting was adjourned at 9:44 p.m.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Gale Skrobotov". The signature is written in a cursive style with a large initial "G".

Gale Skrobotov, Village Clerk

*Approved at the Board of Trustees Meeting dated August 23, 2011*