



Village of Homer Glen

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

December 22, 2009

Board of Trustees

Board Meeting

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

A. CALL TO ORDER

The meeting was called to order on December 22, 2009 by Mayor James Daley at 7:31 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 7:31 p.m. were Mayor James Daley, Trustees Michael Costa, Russell Knaack, Margaret Sabo, Laurel Ward and George Yukich. Trustee Niemiec arrived at 7:32 p.m. All remained present throughout the meeting. Also present on behalf of the Village were Village Clerk Gale Skrobuton, Village Manager Paula Wallrich, Finance Director John Sawyers, and Village Attorney Cary Horvath.

A quorum was established.

D. APPROVAL OF AMENDMENTS TO AGENDA

Trustee Knaack made a motion to amend the agenda to add a discussion on Protocol for Land Acquisition between Items J3 and J4; second by Trustee Costa.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (6) Trustees Costa, Knaack, Niemiec, Sabo, Ward and Yukich

Nays: (0) None

Absent: (0) None

The Mayor did not vote.

Motion Carried.

E. APPROVAL OF MINUTES***December 8, 2009 – Board Meeting***

Trustee Yukich made a motion to approve the Board Minutes of December 8, 2009; second by Trustee Costa.

Trustee Ward recommended that the approval of the Minutes be deferred to allow for review by the Board.

Trustee Yukich withdrew his motion; Trustee Costa withdrew his second.

Trustee Ward made a motion to defer approval of the December 8, 2009 Minutes to the next Board Meeting; second by Trustee Niemiec.

Voice Vote:

All Ayes: (6) Trustees Costa, Knaack, Niemiec, Sabo, Ward and Yukich

Nays: (0) None

Absent: (0) None

Motion carried.

F. SCHEDULE OF ACCOUNTS PAYABLE

Trustee Sabo made a motion to approve Accounts Payable for the period November 26, 2009 to December 23, 2009 in the amount of \$641,272.77; second by Trustee Niemiec.

Trustee Ward questioned whether payment of Check #1041 was for the appraisals that were requested by the Mayor and ordered by the Village Manager. Trustee Ward asked if the invoice had been reviewed,

and noted there were some deficiencies in the appraisals, including incorrect data regarding the description and deed restrictions.

Village Manager Wallrich noted there were some typographical errors.

The Board further discussed the content of the appraisals.

Trustee Knaack voiced his concern about the substance of the appraisal and questioned the value of the land in comparison to a May 2009 appraisal for property in the area, which is on file with the Homer Township Assessor's office.

Mayor Daley stated that, based on discussion at the Public Forum held by the Plan Commission, the Board indicated they wanted to move forward with the purchase of a large piece of property and it became apparent that updated appraisals were needed on the two properties being considered for purchase. The Mayor stated that he then ordered the appraisals.

Village Attorney Horvath noted that the contents of the appraisal was not taken into consideration with respect to the Board's decision to act on declaring the LOI on the Dunn property in default at the December 8, 2009 Board meeting. He stated that if there are substantive errors in the appraisal, it would be appropriate for the Board, based on their opinion, to point out these errors; however, if the errors are in the way it was typed or in summarizing, it does affect the substance of the appraisal.

Mayor Daley suggested that Trustee Knaack contact the appraiser regarding any questions and concerns.

Trustee Ward made a motion that check #1041 be removed from the Accounts Payable list; second by Trustee Knaack.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (6) Trustees Costa, Knaack, Niemiec, Sabo, Ward and Yukich

Nays: (0) None

Absent: (0) None

The Mayor did not vote.

Motion Carried.

Trustee Niemiec made a motion to approve the Accounts Payable; second by Trustee Costa.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (6) Trustees Costa, Knaack, Niemiec, Sabo, Ward and Yukich

Nays: (0) None

Absent: (0) None

The Mayor did not vote.

Motion Carried.

Trustee Niemiec asked for consideration in paying vendors at the appropriate time if any future Board meetings are cancelled.

G. REPORTS AND COMMUNICATIONS FROM MAYOR AND OTHER OFFICERS

1. Mayor Daley reported:

- . He met with Illinois American Water and discussed the possibility of a franchise agreement. Any negotiating will be done by elected officials and the Village attorney.
- . The LOI for the Dunn property was terminated and the earnest money has been returned.

- . In reviewing the past year the Village is operating in the black, and has no debt or a municipal tax. He thanked the trustees and staff for doing a great job.
- . Effective December 1, 2009 the current cost for contractive law enforcement services provided to the Village of Homer Glen by the Will County Sheriff's Office will remain the same. The Will County Sheriff's Labor Contracts are currently under negotiation, and if contract negotiations are completed during the fiscal year – December 1, 2009 to November 30, 2010, the Village of Homer Glen will receive an invoice for any increased costs, retroactive to December 1, 2009.

2. Trustees:

- a. Trustee Sabo reported:

ENVIROINMENT COMMITTEE REPORT

Earth Day Arbor Day

The Committee met on December 16th to plan for the May 22nd event at the Konow Farm. Part of the planning will include a Green Solutions Expo showing latest technology. Speakers and demonstrations will be scheduled as time allows. The next meeting will take place on January 6, 2010. The Committee encourages individuals, organizations and businesses to participate in keeping with the Mission Statement:

To provide education regarding the role that natural resources play in sustaining a high quality of life in the community and to encourage participation in Natural Resource protection and restoration efforts.

Lighting

The Environment Committee's Lighting Work Group continues to look for energy and cost efficient ways to retrofit Homer Glen's street lights in order to comply with the lighting ordinance. The work includes communication with the Homer Township Highway Department and involved research on products available and interviews with lighting companies.

The Environment Committee will be reviewing the final draft of the lighting ordinance in January before the draft is presented to the Board of Trustees for comments and questions. Trustee Sabo thanked Community Development Director Ed Cage for his assistance.

Hines Emerald Dragonfly

Upon hearing that funds are still available to all partners, including Homer Glen, who signed on to the Habitat Conservation Plan that will benefit the Hines Emerald Dragon, a meeting took place with Rebecca Dill, Program Manager of the Biodiversity Project. Attending the meeting were Engineer Mike Salamowicz, Environment Committee member Debra Norvil, and Trustee Margaret Sabo along with Marcia and Mike DeVivo, members of the Long Run Creek Watershed Committee.

Discussion prevailed about an outreach program and applying for a grant involving work on Long Run Creek which is upstream from the dragonfly habitat area. Ideas and grant possibilities are still being investigated.

- b. Trustee Niemiec reported:

The Sewer and Water Task Force members voiced their concerns that they could be excluded from any input on discussions regarding the franchise agreement with Illinois American Water. The Mayor has assured her that the Task Force will be asked to provide the venue for public input and to provide suggestions and advice regarding the essential elements of the agreement.

Trustee Niemiec asked if the profiling of the Business Connect website be moved up on the agenda.

Mayor Daley suggested that the discussion on the Business Connect Website follow Public Comment. The Board had no objections.

- b. Trustee Knaack commented that with the cancellation of the LOI for the Dunn Property, he is still very committed in pursuing a park purchase. With the low bond rates, real estate market and the availability of land, now is the right time to do this and the window of opportunity will not last forever. He looks forward to immediately beginning the process again and evaluating properties and pursuing a purchase for a community park.
- c. Trustee Ward asked residents to drive carefully, and wished everyone a Happy Holiday
- d. Trustee Yukich reported that the Public Services and Safety Committee will be asking the police to issue more tickets for speeding. The next meeting will be on January 6, 2010.
- d. Trustee Costa reported the Public Services and Safety Committee will be looking at a check list for some of our events in order to standardize who has to be involved and allow for safety priorities to be intertwined.

The Independence Day Parade and Community Fest are tentatively scheduled for Saturday, June 26, 2010.

- 3. Village Treasurer John Sawyers read into the record the Treasurer's Report, with ending balances as of November 30, 2009.

General Fund	\$ 2,644,564.91
Motor Fuel Tax Fund	\$ 1,097,630.03
Park Fund	\$ 403,315.78
Land Acquisition Fund	\$ 88,261.56
Capital Project Fund	\$ 911,505.24
Tollway Fund	\$ 272,210.81

- 3. Village Clerk Gale Skrobuton reported that the last day to register for voting in the February 2nd General Primary Election is Tuesday, January 5th. Residents can register at the Village Hall.
- 4. Village Manager – No Report
- 5. Village Attorney Cary Horvath reported that the appraisals for the two property previously considered for a park purchase were the subject of (2) F.O.A.I. requests. The appraisals were withheld from disclosure until the earnest money deposit was returned by the seller of the Dunn property. The appraisals have now been released.
- 6. Task Force Chairperson(s) – No Report
- 7. Sheriff – No Report

Trustee Niemiec noted that she received e-mails from two residents regarding recent break-ins that occurred while the residents weren't home. She asked residents to keep an eye on their neighbors' homes, and call the Sheriff's Department if they see anything suspicious.

H. PUBLIC COMMENT

There was no public comment.

DISCUSSION – BUSINESS CONNECT WEBSITE. (moved from Agenda Item J5.)

Trustee Niemiec announced the official launch of going live with Business Connect, and introduced Bob Webster, from VerseOne who designed the new website. Trustee Niemiec and Mr. Webster presented a review of the features and information available through the website, including:

- . General information about the Village of Homer Glen.
- . Community profile and demographics.
- . Permit process information.
- . Business Directory and Business Registration.
- . Business to business advertising.
- . Calendar of events.
- . Direct link to the Chamber of Commerce website.
- . Developer's handbook, zoning map, comprehensive plan and list of ordinances of interest to developers.
- . Opportunity for resident feedback.

The website can be accessed through business.homerglen.il.org.

I. LEGISLATION

1. Motion to Elect the President Pro Tem.

Trustee Sabo made a motion to elect the President Pro Tem; second by Trustee Costa.

Village Manager Wallrich noted that our Ordinance establishes Rules for the Conduct of Village Board Meetings, and states that in December of every year the Board can elect a President Pro Tem. Trustee Ward has functioned in this capacity, and it is recommended that she continue in that position.

The Mayor asked the Clerk to call the Roll:

Roll Call Vote:

Ayes: (6) Trustees Costa, Knaack, Niemiec, Sabo, Ward and Yukich

Nays: (0) None

Abstain: (0) None

Absent: (0) None

The Mayor did not vote.

Motion carried.

J. DISCUSSION ITEMS

1. Ordinance Amending the Personnel Policy Statement for the Village of Homer Glen.

Village Manager Wallrich stated that the Board previously discussed the proposed changes and asked for additional time for further review. There was no further discussion by the Board. The proposed changes will be brought before the Board for a vote at the next meeting.

2. Ordinance Establishing Rules for the Conduct of Village Board Meetings.

The Board reviewed and discussed a suggested change to the ordinance concerned the Conduct of Village Board Meetings that would provide for Discussion Items after Legislation, and moving Executive Session to the end of the meeting.

Trustee Ward stated that when the Board amended the ordinance to include *Committee of the Whole* meetings and discontinue *Workshops* there were questions about what would be discussed versus what would go straight to the Board for a vote. Several issues have since come up for a vote, but were tabled for further review by the Board. There have also been items that the public wasn't aware that the Board would be discussing and not actually approving.

Trustee Ward suggested the agendas include *Discussion Items* that could also be listed as *Workshop Items* for easier clarification by the public, and suggested that the Board establish a protocol for what goes under Discussion Items that would include initial discussion by the Board for any new ordinances, amendments or substantial changes to an existing ordinance. Items such as Accounts Payable and anything planning and zoning related that has gone through the Plan Commission with a Public Hearing process can go straight for legislative action.

Trustee Knaack suggested that three Board members can convene a Committee of the Whole meeting, in addition to a special meeting for matters of discussion and not only for Board action. Trustee Knaack requested that language referring to the Trustees keeping items discussed in Executive Session as confidential, also include the Mayor be held to the same standards of confidentiality.

Village Attorney Horvath suggested that the ordinance be amended to read that the Committee of the Whole or Special Meetings by the Board may be called by the Village President, and noted that the Board is not compelled to vote on anything listed as an action item at a Special Meeting.

Mayor Daley asked Trustees Ward and Knaack to send their comments and suggestions to the Village Manager. This item will be brought before the Board at the next meeting.

The Board agreed that the Discussion Items be listed as Workshop Items on future agendas.

3. Purchasing Policy

Village Manager Wallrich provided the Board with a study done by the Illinois Local Government Net listing area communities and detailing at what monetary point is Board/Council approval necessary for a purchase.

Trustee Niemiec stated there has been concern about requests for what are the aggregate resources that are being expended that have not be budgeted or authorized by the Board. Trustee Niemiec asked for clarification on the main areas where there has been a need for discretionary spending in engineering, legal and professional consultation and non-reimbursable expenses, and asked Finance Director John Sawyers to create a "snapshot" of the Village's spending over a three-month time period. This will allow the Village to strategically look at the cost on these projects for next year's budget.

The Board discussed the possibility of setting up a budget for the Mayor, Village Manager, Village Clerk, and Trustees.

Finance Director John Sawyers stated that we currently project engineering at a pretty sizable amount and legal at a sizeable amount and he will prepare a 3-month sample of the budgeted expenses that includes an in-depth report of what was incurred on a project by project basis.

Trustee Sabo stated that a budget for the trustees is not needed, and would prefer continuing to have a budget for events and projects that a committee is working on.

Trustee Niemiec stated that while no one has violated our existing purchasing policy, she would like to see how many of these expenses have accumulated that were not preapproved by the Board.

Trustee Ward voiced here concern about the legal and engineering expenses, as it is not always clear in the Accounts Payable list what is incorporated in the engineering or legal expenses being incurred.

The Board discussed various expenses that were incurred without previous Board approval for services including engineering, legal fees, analysis of the use of open space areas for a park, and appraisals.

Trustee Yukich voiced his concern that the Board is not receiving information on initial analysis or phases of projects or proposals and requested that the Board be kept up-to-date.

Trustee Ward commented that the original intent of bringing the Purchasing Policy to the Board for discussion was so that money that is spent in the Village on any new initiatives or programs had been discussed by the Board. This does not include the day-to-day operations and functions of the Village or specific items that were discussed in the budget. If a new program or initiative is being considered, it should be discussed by the Board, even if there is a line item that covers a specific category of expenditures. Trustee Ward voiced her concerns that currently up to \$20,000 can be expended for a

single project without the knowledge of the Board, and that there is a lack of checks and balances for things that can be expended.

Trustee Sabo stated that while the Board is concerned about the Mayor's ordering of the appraisals without their knowledge, discussion should not continue without all the facts, as the Mayor had discussed calling for the appraisals at previous meetings. Trustee Sabo stated that the Board is talking in generalities, which is confusing the public. She suggested that the Board go about this in an objective manner and continue the discussion after reviewing the 3-month "snapshot" of expenditures.

The Purchasing Policy will be further discussed by the Board after review of the 3-month study of expenditures.

3a. Protocol for Land Acquisition.

Trustee Knaack presented ideas on establishing a protocol for land acquisition, including:

- . How to select proposed sites.
- . Roles of our Village Committees and Plan Commission in the acquisition process.
- . How appraisals should be obtained and evaluated.
- . How land owners should be contacted.
- . Procedures for negotiations, and with what parties and representatives.
- . How to solicit work from consultants as far as analysis.
- . When Public Hearings or Forums should be held regarding a proposed acquisition.

Trustee Ward stated that a single protocol will not address all types of land acquisitions and suggested that the Board discuss establishing specific protocols for land acquisition through: the subdivision process; Village initiated purchases; purchase through bonds; purchase through grants; and annexation.

Mayor Daley requested that a Committee of the Whole meeting be scheduled to discuss the establishing of the protocol.

Trustee Sabo stated that it is important to have protocol for any issue and commented that she would like to see recommendations for the various protocols for discussion at the next Committee of the Whole meeting.

Trustee Niemiec commented that the protocol could also be extended to include commitments that are done on behalf of the community, such as potential franchise agreements, to determine: when public input is gathered; the roles of the Committees and Task Forces; and when is it necessary for negotiations to be conducted by legal counsel for purposes of protecting the Village.

4. Special Events.

Trustee Costa stated that the two major community events – Independence Day Parade and Fest, and Homer Harvest Days – are joint committees between the Village and the Township. He agreed that an Events Committee be established to allow for earlier planning of the events and involvement with the Public Services and Safety Committee.

Trustee Ward stated that this committee has been discussed by the Community and Economic Development Committee, including coordinating a master calendar of all community events, maintaining a list of volunteers, and coordinating of fund raising and sponsorships of Village supported events. The intent of the Special Events Committee would be to oversee and make recommendations for all special events in the community.

The Mayor asked Village Manager Wallrich to work with the Village Attorney on an ordinance creating this standing committee.

Trustee Niemiec suggested that since this was discussed by the Community and Economic Development Committee, that she and Trustee Ward discuss the special events committee's potential scope and responsibilities and forward their suggestions to the Village Attorney to incorporate into a draft ordinance.

5. Business Connect Website (moved – discussed following Public Comment)

K. OLD BUSINESS

Trustee Knaack noted that local newspapers have reported that the Village was negotiating with Gallagher and Henry for park purchase land. Trustee Knaack recommended that since protocol will be discussed by the Board, the Village cease all negotiations and activity relating to land acquisition until the protocol is established.

L. NEW BUSINESS

Trustee Niemiec commented that there had been discussion about establishing a Finance and Administration Committee to be comprised of two Trustees and Village staff. This committee would look at budget finance issues, do a preliminary budget with staff, and present ideas. Trustee Niemiec asked if establishment of this committee could be discussed by the Board at a future meeting.

Trustee Niemiec asked if the F.O.I.A. Ordinance needed to be amended due to the changes in the F.O.I.A. law that take effect on January 1, 2010.

Village Attorney Horvath will review the current ordinance and make the necessary changes.

Trustee Knaack commented that the local newspapers have reported that the Village is talking to IAW about a franchise agreement, and he also read in a memo that we are negotiating the purchase of the building we are currently leasing. Trustee Knaack requested that these issues be discussed by the Board.

Mayor Daley stated that the purchase of the building was discussed in a preliminary conversation initiated by the owner of the building.

M. ADJOURNMENT

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

The meeting was adjourned at 9:56 p.m.

Respectfully Submitted,



Gale Skroboton, Village Clerk

Approved at the Board of Trustees Meeting dated January 12, 2010