



# **Village of Homer Glen**

**14933 S. Founders Crossing  
Homer Glen, Illinois 60491**

**May 13, 2008**

**Board of Trustees**

## **Board Meeting**

**Village Council Chamber  
14917 S. Founders Crossing  
Homer Glen, IL**

**A. CALL TO ORDER**

The meeting was called to order on May 13, 2008 by Mayor James Daley at 7:35 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 7:35 p.m. were Mayor James Daley, Trustees Marcia DeVivo, Russell Knaack, Mary Niemiec, Margaret Sabo, and Laurel Ward. All remained present throughout the meeting. Trustee Chris Locacius was not present. Also present on behalf of the Village were Village Clerk Gale Skrobuton, Village Manager Paula Wallrich, Village Special Projects Coordinator Glenn Spachman, and Village Attorney Burt Odelson.

A quorum was established.

**D. APPROVAL OF AMENDMENTS TO AGENDA**

There were no amendments to the agenda.

**E. APPROVAL OF MINUTES**

April 22, 2008 – Board Meeting

Trustee Ward made a motion to approve the Minutes of April 22, 2008; second by Trustee Sabo.

Voice Vote:

All Ayes: (5) Trustees DeVivo, Knaack, Niemiec, Sabo, and Ward

Nays: (0) None

Absent: (1) Trustee Locacius

*Motion carried.*

**F. MOTION TO SUSPEND WORKSHOP RULES TO PERMIT ACTION TO BE TAKEN.**

Trustee DeVivo made a motion to Suspend Workshop Rules; second by Trustee Ward.

Voice Vote:

All Ayes: (5) Trustees DeVivo, Knaack, Niemiec, Sabo, and Ward

Nays: (0) None

Absent: (1) Trustee Locacius

*Motion carried.*

**MAYOR DALEY ANNOUNCED** that the Meijers Stores have agreed to annex their property on Bell Road into the Village. This will create additional revenue for the Village and new shopping opportunities for our residents.

**G. PUBLIC COMMENT FOR ACTION ITEMS**

- a. Kevin Hillen, 1000 International Parkway, Woodridge, from Illinois American Water commented on the Resolution before the Board Authorizing the Retention of Professional Consultants to prepare a Valuation of the American Lake Water Pipeline and stated that his company does not believe this is in the best interest of their customers. Mr. Hillen stated that they have been responsive to the Village's elected officials and is disappointed that the Village is taking another step toward eminent

domain. He encouraged the Board to reconsider this action using partnership and collaboration rather than condemnation.

## H. ACTION ITEMS

### 1. Resolution No. 08-010 - A Resolution Authorizing the Retention of Professional Consultants to Prepare a Valuation of the American Lake Water Pipeline for the Village

Trustee DeVivo made a motion to approve Resolution No. 08-010; second by Trustee Niemiec.

Village Manager Paula Wallrich stated that in 2006 the Village of Homer Glen joined with the Village of Plainfield, Bolingbrook and Woodridge to hire Postl-Yore to investigate the feasibility of acquiring the Lake Michigan pipeline from American Lake Water Company. The study indicated a valuation and bulk water cost that is comparable to current LAW rates. It has been suggested that we move on to the next tier of investigation toward acquisition. The cost of this phase of study by Postl-Yore is \$32,000 and the estimated fee for legal counsel by Tressler, Soderstrom, Maloney & Priess is \$10,000, for a total not-exceed amount of \$42,000. The Village of Homer Glen's portion is \$6,300.00.

Village Attorney Odelson suggested that the Motion be amended to include that the Villages gets an appropriate Conflict Letter from the law firm we are hiring, as it is the same law firm that is suing the Village on another matter.

Trustee DeVivo amended her to motion Authorizing the Retention of Professional Consultants to Prepare a Valuation of the American Lake Water Company Pipeline for the Village contingent on receiving a Conflict's Letter from the law firm of Tressler, Soderstrom, Maloney & Priess; second by Trustee Niemiec.

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

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Knaack, Niemiec, Sabo, and Ward

Nays: (0) None

Abstain: (0) None

Absent: (1) Trustee Locacius

*Motion carried.*

### 2. Resolution No. 08-011 – A Resolution Authorizing Submission of OSLAD Grant Request to the State of Illinois for a Park in Erin Hills.

Trustee DeVivo made a motion to approve Resolution No. 08-011; second by Trustee Knaack.

Village Manager Paula Wallrich stated that this is a 50/50 grant with the anticipated cost of the purchase of Lot 270 to be \$200,000, with the Village's proportionate share of \$100,000. The deadline for the submission of the Grant is July 1, 2008.

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

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Knaack, Niemiec, Sabo, and Ward

Nays: (0) None

Abstain: (0) None

Absent: (1) Trustee Locacius

*Motion carried.*

### 3. Resolution No. 08-012 – A Resolution Authorizing the Execution of an Agreement with Heath Wright for Purposes of a Grant Application.

Trustee DeVivo made a motion to approve Resolution No. 08-012; second by Trustee Knaack.

Village Manager Paula Wallrich stated that this provides the assistance to complete the application for the OSLAD Grant. Heath Wright from Upland Design has previously assisted the Village in park development and his charge is \$4,300 as a lump sum fee. A Public Hearing is scheduled for Monday, May 19<sup>th</sup> in front of the Plan Committee. Village Manager Wallrich clarified that this agreement is with Upland Design, not with Heath Wright.

Trustee Ward requested that the agreement be changed to reflect that "all instruments of professional service prepared by the Firm, including, but not limited to, drawings, and specifications," are the property of the Village, not the "property of the Firm", as stated in the proposal.

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

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Knaack, Niemiec, Sabo, and Ward

Nays: (0) None

Abstain: (0) None

Absent: (1) Trustee Locacius

*Motion carried.*

**4. Ordinance No. 08-030 – An Ordinance Amending Ordinance No. 06-012 Providing for the Special Use Permit for the Sale of Alcoholic Beverages as an Ancillary Use to a Restaurant.**

Trustee DeVivo made a motion to approve Ordinance No. 08-030; second by Trustee Niemiec.

Village Manager Wallrich stated that on April 22<sup>nd</sup> the Board approved an amendment to the liquor ordinance which allowed for a Class B1-Bar and Food Service license. Litsa Lounge has applied for this license; however, a Class B1 license conflicts with Ordinance No. 06-012, Section 2b which states "the sale of alcoholic beverages shall not exceed 50% of the retail sales of the establishment". The hours of operation listed are also limited in Section 2d of Ordinance No. 06-012. This will repeal Sections 2b and 2d, thereby eliminating the present inconsistency.

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

Roll Call Vote:

Ayes: (5) Trustees DeVivo, Knaack, Niemiec, Sabo, and Ward

Nays: (0) None

Abstain: (0) None

Absent: (1) Trustee Locacius

*Motion carried.*

**I. MOTION TO RESUME WORKSHOP RULES**

Trustee DeVivo made a motion to Resume Workshop Rules; second by Trustee Sabo.

Voice Vote:

All Ayes: (5) Trustees DeVivo, Knaack, Niemiec, Sabo, and Ward

Nays: (0) None

Absent: (1) Trustee Locacius

*Motion carried.*

**J. WORKSHOP ITEMS**

**1. Goodings Grove Final Plat Discussion.**

This item was removed from the Agenda at the request of Gallagher & Henry.

## 2. Discussion of Municipal Waste Hauling Ordinance.

### *Discussion:*

Interim Village Manager Wallrich outlined the details of the draft ordinance for the provision of Village-wide residential refuse, recycling, and yard waste services. The ordinance details the essentials of waste collection for the Village and allows for the enforcement of any violations that may occur. Wallrich suggested that the Board consider issues related to commercial and industrial waste hauling and recommended that Sections 13 and 14 relating to commercial businesses be removed from the draft ordinance at this time for further review and speak to the Chamber of Commerce regarding their concerns.

The Ordinance as drafted:

- . Required all residential property to have collections at least one a week in approved containers.
- . Requires commercial to have collections once a week and anything related to food establishments to have collections at least two times a week.
- . Requires all commercial and industrial waste to be in covered containers and to be located no closer than the front line of the building.
- . Encourages recycling and prohibits the co-mingling of any other kind of waste in a recycled container.
- . Requires putting out of residential garbage no earlier than 6 p.m. prior to the day of collection and to be removed no later than 6 p.m. on the day of collection.

Village Manager Wallrich commented that some of the Trustees were concerned about the time restraints, and suggested that this be amended to require the removal of the containers on the day of collection.

- . Provides for some bonding from commercial waste haulers at \$5,000 and residential at \$250,000 per contract.
- . Handles all the insurance and indemnity issues.
- . Provides for minimum standards on the vehicles hauling the waste.
- . Prohibits the collection of waste on Sundays.
- . Provides for information on holiday pick-ups and customer service calls.
- . Requires all haulers to be licensed.
- . Provides for the Village's authority to remove any waste that has not been removed that presents a nuisance or life-safety issues and allows us to collect a fee for doing such.
- . Regulates the hours of commercial waste haulers between 6 a.m. and 2 p.m.
- . Penalty for violations of the Ordinance are \$100 to \$750 and provides fines on a per-day issue.

Trustee Knaack suggested that language be added to the Ordinance that prohibits fly dumping.

Village Attorney Odelson suggested than a separate Ordinance be adopted prohibiting fly dumping which will allow it to be brought into adjudication.

Trustee Niemiec questioned if the agreement includes the provision that if the waste hauler sees a violation to our ordinance that they report it to the Village.

The Mayor suggested that we work with Nu-Way to report any violations to the Village.

**3. Energy Saving Resolution.***Discussion:*

Interim Village Manager Wallrich stated that as a member of Clean Air Counts, the Village is committed to helping reduce ozone causing emissions and improving air quality. This Resolution establishes a purchasing policy for energy star appliances and lighting for the Village Hall.

Trustee Sabo stated that this helps us in our application for the next level in Clean Air Counts and asked that energy saving tips be included on our website.

**4. Homer Harvest Days Discussion.***Discussion:*

Village Manager Wallrich stated that Trustee Knaack has been working on an initiative for the creation of an annual fall event for the Village. Trustee Knaack had some preliminary discussion with the Township about holding a joint event and share the costs. The Grand Opening of the Trantina Farm will be held this fall and it was discussed using this site for the "Homer Harvest Days" celebration. It has been recommended that a joint planning committee be formed with the Village with equal representation, and that a budget be established of up to \$5,000 for the 2008 event.

Trustee Knaack stated that this type of celebration would acknowledge our rural routes and celebrate our unique character. Activities discussed for the "Homer Harvest Days" were food tents, music, hay rides, old fashioned games and craft artisans.

Trustee Ward commented that she would like to keep this event small for the first year and grow into a larger event as we get more volunteers involved. She would also like to see this event being volunteer-driven rather than being staff and Trustee-driven. Trustee Ward extended an invitation to the Township to annex the Trantina Farm into Homer Glen.

Trustee Niemiec commented that staff assists with these special events, and requested that all staff time be kept track us for a cost evaluation. Trustee Niemiec stated that if we are spending tax dollars she would like the event to be held in Homer Glen and encouraged the Township to consider annexation of the Trantina Farm into the Village.

Trustee Sabo stated there are many businesses and organizations that may want to support this event through sponsorships or donations of goods, which should bring the expenses below the \$5,000 budget.

**MAYOR DALEY** invited the officer in attendance to introduce himself.

Deputy Steve Formenti gave a brief background of his career in law enforcement.

**K. ADJOURNMENT**

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

The meeting was adjourned at 8:35 p.m.

Respectfully Submitted,

  
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Gale Skrobuton, Village Clerk

*Approved at the Board of Trustees Meeting dated May 27, 2008*