

# **Village of Homer Glen**

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

**February 12, 2013**

**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 February 12, 2013 by Mayor Jim Daley at 7:35 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 7:35 p.m. were Mayor Jim Daley, Trustees Mike Costa, Marcia DeVivo, Tedd Kagianas, Mary Niemiec, Margaret Sabo and George Yukich. Also present on behalf of the Village were Village Clerk Gale Skroboton, Village Manager Cameron Davis, 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*****January 22, 2013 Village Board Meeting***

Trustee DeVivo made a motion to approve the January 22, 2013 Village Board meeting Minutes; second by Trustee Kagianas.

Voice Vote:

All in favor: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich

Nays: (0) None

Absent: (0) None

*Motion Carried.*

**F. REPORTS AND COMMUNICATIONS FROM MAYOR AND OTHER OFFICERS**

1. Mayor Daley reported on the items listed below.

- . The Mayor announced that this past week a new law was created specifically for Homer Glen. Homer Glen contracts with the Will County Sheriff's Department for police services. Prior to the new law Homer Glen was ineligible to receive the proceeds from drug forfeitures because we do not have our own law enforcement agency. With the passage of this law, all assets forfeited during drug seizures are eligible to be shared with the Village of Homer Glen to offset the costs of providing police services. The Mayor thanked Representative Kosel and Sheriff Paul Kaupas for working with him to get this new law passed.
- . Mayor Daley announced that the Administration and Finance Committee meeting originally scheduled for February 21<sup>st</sup> has been canceled. The meeting has been rescheduled for Wednesday, February 13<sup>th</sup> at 5:30 p.m.
- . The Mayor congratulated Butler School 3rd grade student Ellie Fontanetta for being honored by the Ace Hardware Foundation. Ellie was chosen because she is very involved with the Foundation and Lurie Children's Hospital. She will now serve as the face of the award and as part of the campaign, she will promote in-store fundraising for local Children's Miracle Network Hospitals.
- . The Mayor congratulated the 7<sup>th</sup> grade Homer Jr. High Spelling Bee Champ Meghana Kaminen. Mayor Daley wished her luck as she competes at the regional competition for Will County at Lewis University on March 1<sup>st</sup>.

- . The Mayor invited everyone to join in celebrating the grand opening of the new Sherwin Williams store.
2. Trustees:
- a. Trustee Costa reported on the items listed below.
    - . Plans are being finalized for the Homer Community Festival that will be held on June 20<sup>th</sup> thru the 23<sup>rd</sup>.
    - . Homer Harvest Days is scheduled for September 7<sup>th</sup> and 8<sup>th</sup>. The Committee is looking for demonstrators and vendors for this community event.
  - b. Trustee Yukich reported on the items listed below.
    - . The Public Services and Safety Committee met last week and discussed how the Village could help our residents with the problems caused by burning leaves. The Committee also discussed speeding issues. Trustee Yukich asked residents to watch their speeds when traveling through town.
  - c. Trustee Sabo reported on the following items.
    - . Earth Day~Arbor Day  
The Environment Committee is reaching out to the Homer Glen community and other residents near and far to add new and exciting entries to the Earth Day~Arbor Day event on May 18<sup>th</sup>. Publicity was recently sent to the news media seeking new participants in the arts and crafts field, organizations and businesses that meet the criteria. Last year's event featured over 80 participants.
    - . Earth Hour 2013  
The World Wildlife Fund has announced that Earth Hour in 2013 will be celebrated on March 23<sup>rd</sup>. People are being asked to reduce the amount of electricity generated by the use of lights between 8:30 p.m. to 9:30 p.m. To sign up and become involved visit their website at [worldwildlife.org/pages/earth-hour](http://worldwildlife.org/pages/earth-hour). Trustee Sabo noted that it is easy to forget how much we depend on the planet for so many things like food, fuel, water, air and energy. Although readily available, these resources can be taken for granted and wasted.
    - . Lighting Ordinance  
The Community and Economic Development Committee and the Environment Committee are scheduled to meet on February 21<sup>st</sup> at 7:00 p.m. to discuss the current Homer Glen Lighting Ordinance. Three representatives from each committee will be present. The Environment Committee Lighting Sub-Committee in attendance.
    - . Inquiry Regarding Lighting Ordinance  
The Environment Committee has received a request from Berlin, Germany regarding the Homer Glen Lighting Ordinance. The request comes from an individual working on her PhD. She is researching light pollution policies and the protection of dark sky areas and wishes to learn more about Homer Glen as it is an International Dark Sky Community. Her research project is part of an interdisciplinary project on the causes and consequences of increased artificial outdoor lighting entitled "Loss of the Night". This work will contribute to her PhD research.
    - . New Members  
The Environment Committee is seeking new members. The Committee also welcomes individuals who wish to assist with any Environment Committee projects. Anyone interest can contact the Homer Glen Village office.
  - d. Trustee Kagianas reported on the following items.

- . A ribbon cutting is scheduled for the opening of the Sherwin Williams store on Tuesday, February 26<sup>th</sup> at 1:30 p.m. The new store is located in the Blueberry Hill Café shopping center on 143<sup>rd</sup> and Bell Road.
  - . Trustee Kagianas thanked Trustee Sabo for reporting on the Community and Economic Development Committee and Environment Committee joint meeting that will be held on February 21<sup>st</sup> to discuss making adjustments to the current Homer Glen Lighting Ordinance. A second meeting of the two committees will be held on February 28<sup>th</sup>, if needed.
- e. Trustee Niemiec reported on the following items.
- . Trustee Niemiec thanked Blockbuster Video's staff and team for supporting and providing services for so many of our residents and their children. Blockbuster is closing over 300 stores nationwide, including their store in Homer Glen.
  - . On January 25<sup>th</sup> the Northern Will County Water Agency filed a lawsuit to proceed with eminent domain against American Lake Water Company. Prior to filing the lawsuit, two offers were made to American Lake Water for purchase of the pipeline and both were rejected. The decision is now in the hands of the court.

Mayor Daley stated the next meeting of the Northern Will County Water Agency is March 11<sup>th</sup> at 11:00 a.m. at the Lemont Village Hall.

- f. Trustee DeVivo reported on the following items.
- . In January 2012 the Parks and Recreation Committee formed a sub-committee to review the Village's Parks and Recreation Master Plan. A copy of the proposed revisions to the Parks Master Plan, along with a summary of the major changes will be distributed to the Mayor and Village Board within the week. Trustee DeVivo asked that the Mayor and Board review the Plan and direct all comments and suggestions to her.
  - . The Parks and Recreation Committee will be holding an Open House for public review of the Parks Master Plan. The Open House will be held in the Village Board Room on Wednesday, February 27<sup>th</sup> at 6:30 p.m.

3. Treasurers Report – No Report

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 on the following items.

- . The Village Manager and staff recently met with Meijers Planning and Development staff and discussed the review of the proposed Meijer development including the building, parking lot, landscape plan, and lighting. While all of these items were previously approved by the Village Board, we are looking to see whether they meet current Village standards. If any of these standards are not being met, the Village will ask Meijers to make an effort to come into compliance.
- . Manager Davis reported that in 2012 the Village of Homer Glen once again had a reduced number of crimes over the previous year, including thefts, burglary, aggregated battery and motor vehicle theft. Manager Davis thanked the residents for their vigilance and for the outstanding Will County Sheriff deputies, sergeants and lieutenant who do their jobs so well. Information on the crime statistics will be on the Village's website.

- The Village received a notice from ComEd on tree trimming. ComEd will be trimming trees in the following subdivisions in Homer Glen in late winter or early spring: Cedar Glen; Chickasaw Hills; Chickasaw Woods; Creek Woods; Cypress Point; Derby Hills; Derby Meadows; Erin Hills; Foxly Acres; Hawthorn; Hawthorn South; Homer Township Senior Housing; King Acres; Kingston Hills; Lancaster Square; Long Run Acres; Long Run Creek; Meadows Edge; Meadowview; Michael's Place; Old Oak; Old Oak Estates; Old Oak Estates East; Pebble Creek; Quail Brook; Saddlebrook; Scott Acres; Spring Lake Woods; Statdler Ridge; Stately Acres; Stately Oaks; Sylvan Hills; Twin Creek; Woodbine West; and Wooded Oak.

## G. PUBLIC COMMENT

There was no Public Comment.

## H. CONSENT AGENDA

1. **Consider for Approval a Motion to Authorize the Mayor to Sign a Letter Designating the Chicago Southland Convention and Visitors Bureau the Village's Agency of Record.**
2. **Consider for Approval the Purchase of Eight (8) Dell Computers for Village Offices in an amount not to exceed \$10,500.00.**
3. **Consider for Approval the Village's 2013 Will County Governmental League membership Dues in the amount of \$16,987.82.**

Trustee Niemiec made a motion to approve the Consent Agenda; second by Trustee Costa.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich

Nays: (0) None

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

## I. LEGISLATION AND ACTION ITEMS

1. **Ordinance No. 13-004 – An Ordinance Amending Ordinance No. 01-066 Amending the Village of Homer Glen's Collector's Salary. It is understood that the Collector's salary will be increased by \$5,000.00 in 2013 and \$5,000.00 AGAIN IN 2014. It is further understood that the 2013 Collector's salary increase will be retroactive to January 1, 2013. The 2014 increase will be effective January 1, 2014.**

Trustee Kagianas made a motion to approve Ordinance No. 13-004; second by Trustee Yukich.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich

Nays: (0) None

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

**2. Motion to Approve the Mayor and Village Board Standard Operating Procedure (SOP) No. 08 – A Procedure for the Village of Homer Glen Sister Governmental Entity Building Permit Fee Waiver Partnership Program.**

Trustee Costa made a motion to approve the SOP No. 08; second by Trustee Yukich.

Trustee Sabo stated that she would like to see more comparisons on building permit waivers from other local municipalities so we can be sure we are treating the library fairly as well as the Village.

Manager Davis stated that Crest Hill and Lockport have both had library building projects. Crest Hill gave a 50% reduction in permit fees to their Library District and Lockport returned 60% to their Library District. He believes that these are the two most recent library district projects close to Homer Glen.

Mayor Daley stated that other local communities have municipal property taxes and Home Glen does not. The Mayor stated that, in his opinion, because we do not have a municipal tax, a 50% reduction in the building permit for the library is very fair. If in the future if the Village Board feels that our sister governmental agencies should get a larger or smaller discount it can be addressed at that time by changes to the SOP.

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

Roll Call Vote:

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

Nays: (0)

Abstained: (1) Trustee Sabo

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

**3. Motion to Approve a Proclamation Declaring the Month of February Congenital Defect Awareness Month in the Village of Homer Glen.**

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

The Mayor recognized Monica Kirk who brought this Proclamation to his attention. Monica's daughter Payton has dealt with several congenital heart defects and lives a happy and active life. Mayor Daley presented the Proclamation to Monica and Payton Kirk.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich

Nays: (0) None

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

**4. Ordinance No. 13-005 – An Ordinance Granting a Map Amendment Amending the Zoning Classifications of Certain Real Property Located at 15830 S. Bell Road, Homer Glen, Illinois, from the C-2, Local Business District to the C-3, General Business District (Kmart Corporation).**

Trustee Yukich made a motion to approve Ordinance No. 13-005; second by Trustee Kagianas.

Trustee Sabo asked the Village Manager, for the benefit of the public, to explain the difference between the C-2 and C-3 business districts.

Manager Davis stated that the main problem that the Village has with the current zoning is that if a structure like the current Kmart building was proposed to be built it would not be allowed in the current zoning. Kmart is attempting to create something on this busy intersection that is as marketable as possible for redevelopment. The C-2 zoning does not have as many advantages as a C-3 zoning.

Erin Venard, Assistant to the Village Manager-Planning and Zoning noted that there are not too many differences between the permitted and special uses in C-2 and C-3; however, the differences are more in the descriptions of the districts. The C-2 focuses more on the local business with limited points of access and ease of traffic; whereas the C-3 is more for general business including larger business uses and large lots. Ms. Venard commented that because the property is located at the busiest intersection in the Village, the Plan Commission and staff felt this location was better suited for C-3 type use and zoning.

Manager Davis stated that it is hoped that the C-3 zoning classification will lead to a quicker redevelopment turnaround on the property. He commented that Sears Holdings has closed other Kmart stores and is focusing on marketing these properties for future purchase and redevelopment.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

5. **Motion to Direct the Village Manager to Work with H.R. Green, on a Time and Material Basis, to Complete the Design and RFP Process to Correct Any and All Deficiencies in the Stormwater Detention Basin of the Amberfield Subdivision Utilizing Resources from the LOC Secured by the Village of Homer Glen. The Mayor will direct the Village Manager to facilitate said RFP process and to bring recommendations, from that process, directly to the Village Board for Consideration.**

Trustee Sabo made a motion to direct the Village Manager to work with HR Green; second by Trustee DeVivo.

Trustee Yukich asked if the \$4,000.00 payment that will be made to H.R. Green is for the pavement of the property or towards the detention pond.

Community Development Director Mike Salamowicz stated that it is for the resurfacing and the last work that the Village completed.

Trustee Sabo asked staff to check on the future plans for the subdivision and noted that there was to be a path on the west side of the subdivision that goes around to the other side of the creek. She stated that at the present time with the way the pond is configured there isn't room for the path because it would be too close to the road right-of-way.

Manager Davis stated that staff will look at the plans for where the path was to be built. He noted that one of the challenges for this subdivision is that the initial indications show that the site is 1.91 acres short in detention volume, so the portion of the engineering will be rather small but the actual fixing of the pond will probably be a big project.

Community Development Director Salamowicz added that the original Letter of Credit did not include any of the costs for the trail, which would limit us as to what we can and cannot do at this time in terms of fixing any trail problems.

Manager Davis noted that we can't use the LOC funds for the development of the park, but we can look to see if there is a way that we can insure that there is space for a future trail.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

- 6. Motion to Grant Extension #1, an Extension of the Existing Special Use for the Greek Orthodox Church in Homer Glen, Illinois. It is understood that this first extension is for an additional one-year period beginning on February 15, 2013 and continuing through and including February 12, 2014.**

Trustee DeVivo made a motion to grant extension #1; second by Trustee Kagianas.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

- 7. Motion to Grant Extension #2, An Extension of the Existing Variance for the Greek Orthodox Church in Homer Glen, Illinois. It is understood that the first extension is for an additional 180-day period beginning on February 15, 2013 and continuing through and including August 14, 2013.**

Trustee Costa made a motion to grant extension #2; second by Trustee Kagianas.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

- 8. Ordinance No. 13-006 – An Ordinance Authorizing the Issuances of a Special Use to Permit Automobile Repair and Service, Vehicle Towing Service and Hours of Operation, Outside of the Normal Business Hours, for the Property Located at 13010 W. 159<sup>th</sup> Street, Annico Professional Complex, Homer Glen, Illinois, Conditioned Upon the Following:**

- 1. Up to 30 disabled vehicles may be stored outdoors (within the existing fenced-in area) for a period not to exceed 60 days. The property of the subject property must register each disabled vehicle and information, including the disabled vehicles make and model and**



- arrival date in the lot, in a log. This log will be subject to inspection by the Village's Code Compliance Official at any time.
2. **The property of the subject property will be permitted to operate within the ordinance guidelines of hours of operation (with the business generally operating from 9 am to 5 pm). It is understood that the property of the subject property will occasionally extend their hours of operation beyond the normal business hours.**
  3. **All semi-trailer/cargo containers on the property will be completely removed from the subject property by February 15, 2013.**
  4. **There will be no outside storage of vehicles in the front lot on the west side of the building for a period of more than three (3) days.**
  5. **Any or all U-Haul trucks will only be stored at the locations indicated on the plan, in exhibit "B".**

Trustee DeVivo made a motion to approve Ordinance No. 13-006; second by Trustee Kagianas.

Trustee Yukich noted that the ordinance states that "there will be no outside storage of vehicles in the front lot on the west side of the building for a period of more than three (3) days", and he understands that if a vehicle is dropped off on a Friday it can stay in the front lot until Monday. He commented if it is Monday through Thursday the vehicles should be moved to the back of the building; otherwise vehicles will be there 24/7. Trustee Yukich asked if this towing company handles repos and are they contracting with businesses to move the cars. If this is the case, the cars are going to be coming in 24 hours a day and could cause a disturbance to the residents living in the apartments behind their building.

The Mayor noted that the towing company is located in Homer Glen's only industrial park and there are other towing and automobile repair shops in this industrial park that address similar problems.

Manager Davis thanked the Plan Commission for considering the petition and making it a better product in the end. In response to Trustee Yukich's questions, Manager Davis stated that at the Plan Commission meeting the owner of the business was very clear about his Friday, Saturday, Sunday and Monday situation. Manager Davis suggested that the motion could be clarified by indicating that this covers the Friday, Saturday, Sunday and Monday period of time.

Manager Davis noted that Ms. Patel, who represents the petitioner and property owner, was in attendance and she stated that she believed the towing service would be a 24-hour operation.

Erin Venard, Assistant to the Village Manager-Planning and Zoning stated that the owner indicated it would just be emergency towing. Any vehicles coming from other towing companies would be left in the front lot; however, the towing company's own drivers would have access to the back lot for vehicle storage in emergency situations after the 9 to 5 business hours.

Manager Davis stated that there is a ComEd buffer behind the property that will lessen the noise level to the residents of the apartments.

Trustee Sabo asked if there was enough room in the front of the building for parked vehicles so that the area would not look cluttered.

Manager Davis stated that there are fourteen (14) parking places in the front of the building that are shared between the building's multiple tenants. Cars cannot be parked in the access road because they would block access to the back of their building.

Trustee Yukich voiced his concern that any cars parked in the front of the building that were involved in an accident could leak oil, gasoline and other fluids that can contaminate the gravel lot. He questioned what the owner does when there is an emergency in the middle of the night to make certain that our residents are protected from contamination.

Mayor Daley stated that the towing company is held to all State of Illinois standards. Any issues of abuse will be addressed by these government agencies.

Manager Davis stated that the business in question has been located in this industrial park, in a different building, for a number of years and he does not believe that the Village has ever been contacted with any concerns from the residents regarding the owner's current operations or excessive noise.

Attorney Horvath recommended that "or restricted" be added to **Section 4 - Revocation** of the ordinance. The language would be changed to read: "That the special use to permit automobile repair and service, vehicle towing and hours of operation outside of the normal business hours as hereby authorized may be revoked or restricted by the Village Board ..." Attorney Horvath stated that if it is determined that the conditions are not being met or are causing problems, the Village Manager can ask the Village Board to authorize a restriction for the business. Attorney Horvath stated that the Board could also add a limitation in **Section 3 – Issuance of Special Use Permit** that would state "on Monday nights through Thursday nights outside storage would only be allowed overnight for one (1) night on the west side of the building" and then restate in **Section 3, #4** to say "outside storage of vehicles in the front lot on the west side of the building at any other time shall not exceed a period of three (3) days."

Trustee DeVivo withdrew her motion; Trustee Kagianas withdrew his second. Trustee DeVivo made a motion to approve Ordinance No. 13-006, including the changes recommended by the Village Attorney; second by Trustee Kagianas.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

**9. Ordinance No. 13-007 – An Ordinance Amending Section 3 of Exhibit “A” of Ordinance 10-001, an Ordinance Establishing Rules of Conduct of Village Board Meetings in the Village of Homer Glen, Will County, Illinois (President/Mayor Pro-Tem). It is understood that Village Trustee George Yukich will continue serving as President/Mayor Pro-Tem through April 2013.**

Trustee Sabo made a motion to approve Ordinance No. 13-007; second by Trustee Yukich.

Trustee Sabo asked for clarification that if there isn't a quorum the Village Board members who are present can call the Board members who are not present and ask them to come forward and attend the meeting in order to establish a quorum. She noted that the ordinance also states that any absent member who refuses to attend the meeting may be fined a sum not to exceed \$50 by the members present. Trustee Sabo questioned if it was important to keep this paragraph in the Ordinance.

Manager Davis stated that this language is in the existing ordinance, but whether or not to keep it in the ordinance is probably a policy question.

Attorney Horvath stated that other than saying "may be fined" it would require the members of the Board to impose the fine and if the Village Board doesn't want that fine it can be eliminated from the ordinance.

Trustee Niemiec stated when the ordinance was first approved, the Village included language that was used by other municipalities. The thinking was that the business of the Village needs to be conducted and if there were any circumstances in which there were members of the Board who would try to

prevent the meetings from taking place that there would be some course of action that the Village Board could take.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

**10. Motion to Accept and Receive the Will County Sheriff's Office Homer Glen Policing Unit 2012 Report.**

Trustee Yukich made a motion to accept and receive the 2012 report; second by Trustee Costa.

Manager Davis stated that while it has not been a practice for the Village Board to accept and receive the annual report, he is suggesting that the Board begin to accept and receive these reports so they can be attached to the minutes and included as a permanent part of the public record for the Village.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

**11. Motion to Recommend Approval of the Preliminary Engineering Services Agreement from H.R. Green for the Completion of the Phase 1 Study Related to the Goodings Grove Extension of the Heroes Trail, in the Amount of \$14,998.27.**

Trustee DeVivo made a motion to approve the preliminary engineering services agreement; second by Trustee Kagianas.

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

Roll Call Vote:

Ayes: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0)

Abstained: (0) None

Absent: (0) None

The Mayor did not vote.

*Motion Carried.*

**J. WORKSHOP**

- 1. Discussion and Presentation on IDOT's Response to the Village's Questions Regarding the 159<sup>th</sup> Street Improvement Project.**

Manager Davis stated that the Village Board communicated eleven (11) questions to IDOT regarding various public improvements on 159<sup>th</sup> Street that the Village would be responsible for paying for if the Village decides to move forward with these various improvements.

Manager Davis and Community Development Director Mike Salamowicz presented a power point presentation on IDOT's answers to the Village Boards questions.

● **Question #1**

The Village would like to confirm that prior to construction a final letter of intent will be provided to us detailing actual construction costs and at that time the Village will have a final opportunity to decide to incorporate any or all of the outlying amenities.

**IDOT's Answer to Question #1**

The Department will continue to coordinate with the Village of Homer Glen in Phase 2 regarding local cost participation. In order to maintain our project schedule all cost participation details should be coordinated by the time final plans are prepared so the agreements can be executed.

● **Question #2**

The current plan shows multi-use paths on both sides of 159<sup>th</sup> Street with the exception of a few locations where the trail narrows for various obstacles. Will the proposed 10 ft. multi-use paths fit within the current proposed IDOT right-of-way requirements or will the installation of the paths on both sides require the taking of additional right-of-way from Homer Glen property owners.

**IDOT's Answer to Question #2**

The multi-use paths on either side of 159<sup>th</sup> Street can be constructed within the proposed right-of-way footprint. Right-of-way requirements will not need to be revised to include the pedestrian/bicycle accommodation.

Manager Davis commented that originally staff was supportive of putting 10 ft. multi-use paths on both the north and south sides of 159<sup>th</sup> Street. Staff is still committed to multi-use paths on the north side of 159<sup>th</sup> Street; however, it is felt that the Village should consider having sidewalks installed on the south side. The Heroes Trail will be attaching to the path on the north side of 159<sup>th</sup> Street. Manager Davis stated that we have asked IDOT what the cost would be of installing a 5 ft. to 6 ft.' sidewalk on the north side of 159<sup>th</sup> Street. He noted that if the sidewalk costs more than the multi-use path, the staff may reconsider their position.

● **Question #3**

Is it possible to install one (1) or two (2) American flags on a pole in the planned medians.

**IDOT's Answer to Question #3**

The Department does not permit flags, advertising, or other decorative signs within State right-of-way as they could tear lose causing a safety or operational concern as well as a distraction to the motoring public. As a result, flag poles in the median cannot be permitted.

● **Question #4**

Will IDOT allow either the Village or IDOT to install underground electricity in the medians in order to light up some or all of the median trees during holiday seasons.

**IDOT's Answer to Question #4**

The Village may request that the Department design and install an electrical system for seasonal lighting; however the entire cost of the lighting system, plus a 15% engineering fee would be the responsibility of the Village.

Manager Davis stated that the Village Board will know the actual cost of the electrical system only after IDOT designs it and get proposals. At that point, the Village could back out of it..

● **Question #5**

If the Village chose not to install street lighting at this time is it possible for conduit and other infrastructure to be installed to facilitate a future installation of the street lighting. If this is possible, what costs would be borne by the Village.

**IDOT's Answer to Question #5**

Based on previous experience the Department would not consider installation of conduit only as a viable option. Current conduit cables and foundations may not conform to future poles, fixtures and utility services.

● **Question #6**

If the Village chose to include intersection and/or roadway lighting at this time, but once the final design was completed and actual final costs were established the Village opted not to construct the lights, would the Village still be required to pay the 15% engineering design costs.

**IDOT's Answer to Question #6**

The Village would not be responsible for engineering fees associated with designs not ultimately included in this project because lighting is a typical and standard thing that they have to do.

Manager Davis commented that it is advantageous during the initial notification process, to tell IDOT that the Village does want lighting in order to get their estimates on cost and then make the final decision after the Village Board reviews the numbers. At that time the Board can decide if IDOT's estimate for lighting is more than the Village wants to pay.

● **Question #7**

If the Village chose not to include lighting upon receiving and reviewing the costs as outlined in the final document, is it possible to obtain copies of the design assuming the Village pay the 15% design cost for installation of the lighting at a future date.

**IDOT's Answer to Question #7**

It is unclear if a design consultant would agree to seal and sign design documents for bidding at a later undetermined date. It would be preferable to have the Village contract its own engineer to develop plans and specs for installation as either a permanent or future road project.

● **Question #8**

Will the Village be responsible for electricity costs of the lighting installed as a part of the project. If yes, what would the estimated range of the cost be for the electricity.

**IDOT's Answer to Question #8**

The Village would be responsible for the cost of electricity for roadway lighting. Since IDOT does not know what the Village's agreement is with the electric utility they cannot offer an estimate of what the electric cost would be without a detailed design.

Manager Davis stated that when we get closer to making the decision, staff will get an estimate from ComEd on the cost of the electricity.

● **Question #9**

What will the specific intensity be of each of the lights that will be installed.

**IDOT's Answer to Question #9**

The roadway would be lit to ANSI Illuminating Engineering Society Standard RP8. The design consultant would have to set the roadway functional classification and level of pedestrian conflict in/with concurrence from the Department of Design. Light levels could be anywhere from 13 to 34 lux.

● **Question #10**

Can you confirm that if lighting is installed as a part of the project, IDOT requires that its design standards must be followed.

**IDOT's Answer to Question #10**

Any proposed system must conform to the District One guidelines for lighting design as well as the Illuminating Engineering Society standards.

● **Question #11**

Since the Village is a Dark Sky Community with a separate lighting ordinance, would it be possible for the lighting to be constructed in such a way to incorporate features of the ordinance.

**IDOT's Answer to Question #11**

The Department requires that all lighting installed on State right-of-ways be full cutoff lighting. While this does provide the benefit of limiting light intrusion and producing a Dark Sky design, the actual reason for this requirement is to limit glare produced by a lighting system, as glare is a factor that reduces the overall quality and safety of the lighting system.

Manager Davis stated that in response to IDOT's answers, he developed a schedule for the Village Board to consider following with the goal of trying to get answers back to IDOT about these main infrastructure improvements.

Mayor Daley commented that he will ask Houseal Lavigne, who is working with the Village on the 159<sup>th</sup> Street Corridor study, to make recommendations as to what they think would be best for the look of the corridor.

Manager Davis stated that Houseal Lavigne will be scheduling a Public Meeting in March to present their review for the 159<sup>th</sup> Street corridor.

**K. OLD BUSINESS**

There was no Old Business

**L. NEW BUSINESS**

There was no New Business.

**M. EXECUTIVE SESSION**

Trustee Sabo made a motion to recess to Executive Session for the purposes of discussing: (1) Executive Session minutes; (2) Land Acquisition; and (3) Pending Litigation; second by Trustee Costa.

Voice Vote:

All in favor: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich

Nays: (0) None

Absent: (0) None

*Motion carried.*

The Village Board recessed to Executive Session at 9:07 p.m.

Trustee Costa made a motion to adjourn Executive Session; second by Trustee Yukich.

Voice Vote:

All in favor: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich

Nays: (0) None

Absent: (0) None

*Motion carried.*

Executive Session was adjourned at 9:37 p.m.

Trustee Yukich made a motion to reconvene the Village Board meeting; second by Trustee Costa.

Voice Vote:

All in favor: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich

Nays: (0) None

Absent: (0) None

*Motion carried.*

The Board reconvened the meeting at 9:38 p.m.

Present at 9:25 p.m. were Mayor Jim Daley, Trustees Mike Costa, Marcia DeVivo, Tedd Kagianas, Mary Niemiec, Margaret Sabo and George Yukich. Also present were Village Clerk Gale Skrobuton, Village Manager Cameron Davis and Village Attorney Cary Horvath.

Trustee Costa made a motion to approve and release the Executive Session minutes from January 11, 2011, and February 8, 2011; second by Trustee Yukich.

Voice Vote:

All in favor: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich.

Nays: (0) None

Absent: (0) None

Abstain: (0) None

*Motion Carried.*

Trustee Yukich made a motion to approve but not release the Executive Session minutes from April 12, 2012; second by Trustee Sabo.

Voice Vote:

All in favor: (4) Trustees Costa, Niemiec, Sabo and Yukich.

Nays: (0) None

Absent: (0) None

Abstain: (2) Trustees DeVivo and Kagianas

*Motion Carried.*

Village Attorney Horvath stated that in Executive Session the Village Board discussed the possibility of litigation involving the non-LOC subdivisions. The Village Board also a discussion concerning possible eminent domain concerning two (2) parcels of real estate.

## **N. ADJOURNMENT**

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

Voice Vote:

All in favor: (6) Trustees Costa, DeVivo, Kagianas, Niemiec, Sabo and Yukich

Nays: (0) None

Absent: (0) None

*Motion carried.*

The meeting was adjourned at 9:41 p.m.

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Gale Skrobuton, Village Clerk

*Approved at the Board of Trustees Meeting dated*