

Village of Homer Glen

**14240 W. 151st Street
Homer Glen, Illinois 60491**

March 22, 2017

**Board of Trustees
Board Meeting**

**Village Board Room
14240 W. 151st Street
Homer Glen, IL 60491**

A. CALL TO ORDER

The meeting was called to order on March 22, 2017 by Mayor Yukich at 7:00 p.m. in the Village Board Room, 14240 W. 151st Street, Homer Glen.

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

Present were Mayor George Yukich, Trustees Sharon Sweas, Beth Rodgers, Christina Neitzke-Troiike, Brian Burian, Carlo Caprio and Michael Costa. All remained present throughout the meeting. Also present on behalf of the Village were Village Clerk Ann Holtz, Village Attorney Eric Hanson, Treasurer John Sawyers, Director of Planning and Zoning Vijay Gadde, Assistant Planner Caron Bricks, Development Services Director Mike Salamowicz, Chief Building Official Joe Baber and Village Manager Mike Mertens. *A quorum was established.*

D. APPROVAL OF AMENDMENTS TO THE AGENDA - None**E. APPROVAL OF MINUTES**

Trustee Costa made a motion to approve the minutes for March 8, 2017; second by Trustee Sweas.

March 8, 2017

Voice Vote:

Ayes: (5) Trustees Sweas, Burian, Caprio, Neitzke-Troiike and Costa

Nays: (0)

Abstained: (1) Trustee Rodgers

Absent: (0)

The Mayor did not vote.

The motion carried.

F. SCHEDULE OF ACCOUNTS PAYABLE

Trustee Sweas made a motion to approve the accounts payable for the period of February 24 through March 23, 2017; second by Trustee Caprio.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troiike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

G. REPORTS AND COMMUNICATIONS FROM MAYOR AND OTHER OFFICERS**1. Mayor Yukich:****• Free CPR Training**

The Homer Township and Northwest Homer Fire Protection Districts have partnered to provide "FREE" CPR training to anyone that wants to learn this potentially lifesaving skill. The Fire Districts believe that this is such an essential skill, they are offering the class four times this year at no cost to the participant. If you would like to be trained in CPR, please go to www.homerfire.org to register.

- **State of the Village Address**
We would like to thank the Homer Township Chamber of Commerce for putting together the State of the Village Address. It was a wonderful event. If you were unable to attend, the event can be viewed on the Village's website at www.homerglenil.org.
2. **Trustees**
 - **Trustee Costa:** Trustee Costa reminded residents of two recurring telephone scams, the "Can You Hear Me" and the IRS telephone scam. He stated residents should remember to hang up to any pre-recorded message asking "can you hear me" because they can record your "yes" and use it to authorize fraudulent charges. The IRS scam involves phone calls threatening that the taxpayer will be arrested by the sheriff if they do not send payment. The IRS does not call taxpayers with regard to unpaid debt. Trustee Costa urged residents to inform the Will County Sheriff if they are subjected to one of these scams.
 - **Trustee Sweas:** Reporting for the Environment Committee: The first Stargazing event will take place on Friday, April 28, 2017 at the Trantina Farm. The Village's annual Earth Day-Arbor Day event will take place on May 20, 2017 at the historic Konow farm. We are looking for volunteers and vendors. Sponsorships are also available. Exhibitors who use natural materials in their products and demonstrations are being sought. Because Election Day is April 4, the next Environment Committee meeting date will take place on April 11.
 - **Trustee Caprio:** The 2017 Homer Community Festival will take place June 22-25. We are looking for volunteers. Special Needs Day for Homer families with special needs children will again take place on Friday, June 23 between 2:30-4:30. Homer Township Fire Chief Locacius stated the fire department will not be charging for their services at the festival. We thank him for his generosity.
 3. **Treasurer:** Village Treasurer John Sawyers read into the record the Treasurer's Report for the period ending February 28, 2017.

General Fund	\$ 5,300,404.49
Special Events Fund	\$ 62,583.00
Environmental Fund	\$ 76,503.92
Motor Fuel Tax Fund	\$ 3,612,087.99
Park and Recreation Fund	\$ 2,815,351.87
Debt Service Fund	\$ 1,550,040.81
Capital Project Fund	\$ 1,024,731.46
EAB Tree Replacement Fund	\$ 421,834.46
Capital Bond Fund	\$14,884,060.56
Total Cash and Investments	\$29,747,598.56 (All Funds)
 4. **Clerk:** To add to Trustee Caprio's report, the Parade and Festival Committee is looking for Sponsorships for the Festival. Interested parties can contact my office at (708) 301-0632 or visit the website at www.homerfest.com. In previous years, the Megapass sales for the carnival took place at the Road District's office. This year the Village is taking over the sales. Megapasses will be sold at the Village hall beginning a month before the fest takes place.
 5. **Village Attorney:** None
 6. **Public Safety Officials:** None
 7. **Village Manager:** There will be a community meeting held on Thursday, March 30, 2017 at 7pm at the Village Hall in regards to planned improvements on the Bengtson's property.

H. PUBLIC COMMENT

1. Ann Holtz, speaking as a resident of Homer Glen, announced she is hosting a Candidate Forum would be held on Monday, March 27, 2017 at the Village Hall for the upcoming April election. This is not a Village sponsored or sanctioned event. The 'meet the candidates' night will include those running on the April 4 ballot, but would not include 33c school board candidates as there will be a separate forum for them on March 29. The forum will include Village Trustee candidates, Township candidates and Fire District Trustee candidates. Any questions can be sent to anneholtz@comcast.net.

I. LEGISLATION AND ACTION ITEMS

1. a) **Motion to approve Ordinance No. 17-008, an Ordinance Approving Special Uses to Permit (1) an Automobile Service Station, (2) a Mini-mart (associated with a gas station), (3) a Car Wash, and (4) the Sale of Packaged Liquor (Attachment 2, Table 2A Permitted and Special Uses in Non-Residential Zoning Districts, Chapter 220 Zoning) in the C-2 Local Business District for Certain Real Property Located At 12819 W. 143rd Street, Homer Glen, Illinois. (RDK Ventures d.b.a. Circle K, Case No. HG-1634-S).**

Trustee Costa made a motion to approve the Ordinance; second by Trustee Neitzke-Troiike.

Trustee Sweas asked if the Petitioner was present. She asked him why they are requesting a "D" class license (the ability to sell packaged hard liquor, beer and wine) when the other Circle K stations only have a "G" license (packaged beer and wine). He stated he feels the demand is there and that is the reason for the request. Trustee Rodgers expressed concern about this location being the only gas station in town that has a D license. Assistant Planner Bricks clarified if the Board is not comfortable with the class of license, and voted to award a different class of license, the Board would still have to approve a Special Use Permit for the sale of alcohol. Trustee Rodgers reasserted that she is not comfortable with the award of the D license. Village Attorney Hanson clarified the motion is for the land use, and the next vote is to award the license.

Trustee Burian asked Assistant Planner Bricks to give an explanation of the purpose of these ordinances. Ms. Bricks explained that the future expansion of the intersection of 143rd Street and Bell Road and the right-of-way taking will negatively affect the current Circle K location across the street. Economic Development Director Janie Patch has been working with Circle K for their taking over the lease of the Citgo Station. Circle K plans to operate both locations until the road construction project begins then the station on the northwest corner will close.

Trustee Sweas received clarification that this vote was not to award a specific type of liquor license.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troiike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

- b) **Motion to approve Ordinance No. 17-009, an Ordinance amending §83-68 of the Homer Glen Code, Increasing the Number of Class D liquor licenses issued within the Village of Homer Glen. It is understood that the number of Class D liquor licenses (package store) will increase by one (1).**

Trustee Costa made a motion to approve the Ordinance; second by Trustee Caprio.

Trustee Rodgers reiterated that her earlier comments still stand. She stated that she thinks the other gas stations in the Village will try to request a D license in order to remain competitive. Trustee Burian stated if the Board were to allow it here we are establishing a precedence and can likely expect the other stations to follow suit. Trustee Costa stated that he doesn't have a problem with the request. While there are a number of stores that sell packaged liquor it is convenient to stop for gas on the way home and purchase package liquor.

The Mayor asked the Clerk to call the roll:

Ayes: (4) Trustees Costa, Burian, Caprio, and Neitzke-Troiike

Nays: (2) Trustees Rodgers and Sweas

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

c) Motion to approve Ordinance No. 17-010, an Ordinance assigning an available Class D liquor license (Package Store) to RDK Ventures d.b.a. Circle K, located at 12819 W. 143rd Street, Homer Glen, IL.

Trustee Caprio made a motion to approve the Ordinance; second by Trustee Costa.

The Mayor asked the Clerk to call the roll:

Ayes: (4) Trustees Costa, Burian, Caprio, and Neitzke-Troiike

Nays: (2) Trustees Rodgers and Sweas

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

- 2. Motion to Approve Ordinance No. 17-011, An Ordinance Granting Approval of a Variance to Permit a Structure Used in Connection with a Commercial Stable to be located 250 Feet from any Zoned Residential District in lieu of the Required 350 Feet and for the Structure Used in Connection with the Commercial Stable to be 0 Feet from a Property Line of an Owner in lieu of the Required 100 Feet in the A-1 Agricultural District [Chapter 220-502B(3) of the Code of the Village of Homer Glen], For Certain Real Property Located at 13728 S. Bell Road, Homer Glen, Illinois.**

Trustee Neitzke-Troiike made a motion to approve the Ordinance; second by Trustee Sweas.

Trustee Sweas asked the Petitioner how large is the existing small barn that backs up to the ComEd easement. The Petitioner stated that the 34 stall barn is currently being used for storage of hay. Trustee Sweas pointed out that with the Variance there is the potential for stall rental. The Petitioner stated that its been used this way for decades. The Petitioner stated this is all to bring the property into compliance with Village ordinances as for years the property was unincorporated. While the legal classification is commercial the plans for the stable are only for private use. Assistant Planner Bricks stated at the time of original filing she didn't realize there were setback issues and by the time this came to light, the mailing notices for the hearing had gone out. Ms. Bricks stated she gave the Petitioner the option of postponing the original hearing or coming back before the Board for this portion of the variance. The Petitioner chose to move forward at that time and return to the Board to finish the process. Trustee Costa asked for clarification on the setback condition from the Petitioners SUP Ordinance. Ms. Bricks stated that was for any future building construction on the property.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

3. a) **Motion to Approve Ordinance No. 17-012, An Ordinance Granting a Map Amendment (Rezoning) from R-2A Single-family Residential to A-2 Rural Residential (Chapter 220-503 and Attachment 1, Table 1B Site and Structure Bulk Requirements for Residential Districts of the Code of the Village of Homer Glen).**

Trustee Costa made a motion to approve the Ordinance; second by Trustee Neitzke-Troike.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

- b) **Motion to Approve Ordinance No. 17-013, An Ordinance Granting Approval of a Variance to Reduce the Required Minimum Lot Width from 300 Feet to 221.85 Feet in the A-2 Rural Residential District [Chapter 220-503F(2) of the Code of the Village of Homer Glen].**

Trustee Costa made a motion to approve the Ordinance; second by Trustee Neitzke-Troike.

Trustee Sweas stated she would like to go back and discuss all three of the issues at hand prior to voting on the individual ordinances. Village Attorney Hanson stated there would need to be a Motion to Reconsider. Village Manager Mertens suggested the Mayor read through all three Ordinances and then have the discussion. Village Attorney Hanson stated there would still be three separate Ordinances to vote on.

Trustee Burian made a Motion to Reconsider, second by Trustee Caprio.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

Mayor Yukich read through all three motions pertaining to the Agenda item 3. He opened the discussion.

George Gatses, the adjoining landowner stepped forward to speak in support of the Petitioner, Mr. Jozef Reczek. He stated he has spoken to all of the neighboring land owners to the property and everyone is in support of the Petitioner's plans.

Trustee Sweas referenced the Plan Commission hearing minutes regarding the rezoning issue. She raised the issue of reports of commercial car repairs going on at the property and the Plan Commission members questioning whether this was intended to be a residential property or a commercial operation.

The Petitioner stated he plans to demolish the existing house and build a new home for his residential use. The cars that were on the property are all held with personal title by himself or his brother and it is a hobby not a business. The cars in question have been removed. He stated he's doing everything he can to eliminate any questions or issues that would prevent approval of the rezoning.

Trustee Sweas asked why the Petitioner had not demolished the house yet. The Petitioner stated he wanted to ensure the zoning issue was approved prior to spending money to demolish the house.

Mr. Gatses stated that no one has come forward with proof of a commercial operation. Chief Building Official Joe Baber confirmed that the Village staff inspected the property and confirmed the titles of the cars are held by the Petitioner and his brother.

Trustee Rodgers asked about the cargo containers on the property. Petitioner stated that one has been removed, but the other takes a little more logistical effort to get removed. Trustee Rodgers asked what is being stored in them. Petitioner stated snow mobiles and miscellaneous personal equipment.

Trustee Caprio stated it's rare that the Plan Commission votes against something like this for their stated reasons. He stated that in the event approval is granted and commercial activity takes place, the Village's Code Enforcement Officer would issue tickets and that should take care of any future issue. He stated he wants to take the petitioner at his word that there will not be commercial activity and that he plans to proceed with his stated demolition and construction of a new home.

Mayor Yukich asked what type of notice was given. Assistant Planner Bricks stated that notices were sent out to the required property owners. She added that no one spoke during public comment at either public hearing and that no one has contacted her or the Village's Code Enforcement Officer regarding commercial activities on the property.

Trustee Burian asked how many cars are parked there now. Petitioner stated maybe one, and that he was last there on Sunday. Trustee Neitzke-Troiike stated she drove by the property and only saw one car. Trustee Burian agreed with Trustee Caprio. He appreciated the efforts of the Plan Commission to conduct their due diligence. We have to be careful to differentiate between "use" and "zoning." The Petitioner has made clear his intent, and that it was the brother doing the work on cars and that will not take place in the future. Trustee Burian stated that he hopes that Petitioner will move forward and be a great neighbor and this issue will not come forward again.

Trustee Sweas asked the Petitioner for his timeframe of demolition of the existing house and construction of the new house. He stated he has his application for demolition but didn't move forward with anything because he did not have zoning approvals yet. He will work diligently to ensure the removal of the second storage container. Trustee Sweas asked what, if any, were possible ramifications of changing the zoning to A2. Ms. Bricks stated that commercial businesses are not allowed to operate in A2 and sees no ramifications based on the Petitioner's intent to demolish and construct a new home. The Petitioner was asked if he planned for any animals on the property due to the pole barn and he answered potentially chickens or goats. Village Manager Mertens stated that any commercial operation for a stable or the like would require special use approvals.

Trustee Burian stated we need to focus on the difference between use and zoning and asked if there had been no question about "use" would there be any problem with rezoning. The only possibility would be the sale of agricultural products raised on the property and he sees no problem with the rezoning.

Rezoning the property will not result in a commercial type car repair operation and if anything happens Code Enforcement Officer would address the issue.

Trustee Neitzke-Troiike stated she agreed 100% with Trustee Burian and she had personally visited the property. She sees no problem with having a hobby of fixing up cars and believes the Petitioner will proceed as he stated.

Trustee Caprio asked since auto repair had been done at one point, were any potentially hazardous chemicals disposed of properly. The Petitioner confirmed that any hazardous materials had been disposed of properly.

Trustee Costa made a motion to approve the Ordinance; second by Trustee Neitzke-Troiike.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troiike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

c) Motion to Approve Ordinance No. 17-014, An Ordinance Approving a Plat of Consolidation. All for certain real property located at 14438 and 14430 S. Dixon Lane, Homer Glen, Illinois. (Case No. HG-1632-MPV, Jozef Reczek).

Trustee Neitzke-Troiike made a motion to approve the Ordinance; second by Trustee Costa.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troiike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

- 4. Motion to approve Ordinance No. 17-015, an Ordinance Approving and Adopting the Official 2017 Zoning Map of the Village of Homer Glen. It is understood that this adoption includes map amendments and map corrections, as discovered by staff over the course of 2016.**

Trustee Caprio made a motion to approve the Ordinance; second by Trustee Costa.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troiike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

- 5. Motion to approve Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer's (A.G.D.B.D.K.) proposal for updating the Subdivision Regulations for the Village of Homer Glen. It is understood that the project will not exceed the proposal cost of \$15,000.**

Trustee Sweas made a motion to approve the Proposal; second by Trustee Caprio.

Trustee Rodgers asked for a brief explanation of the purpose of the proposal. Village Manager Mertens stated a lot of the regulations go back to when the Village was unincorporated and this is to ensure things are consistent with the Village Code.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troiike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

6. Motion to approve Ordinance No. 17-016, an Ordinance accepting Evlyn's Gate North Park and certain public improvements and the public park in the Evlyn's Gate North subdivision.

Trustee Costa made a motion to approve the Ordinance; second by Trustee Caprio.

Trustee Sweas asked what the improvements are. Mayor Yukich gave a brief description of some repair items that needed to take place. Trustee Rodgers clarified that this would now become a Village-owned public park.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troiike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

7. Motion to approve Resolution No. 17-003, A Resolution Authorizing the Release of Executive Session Minutes.

Trustee Costa made a motion to approve the Resolution; second by Trustee Neitzke-Troiike.

The Mayor asked the Clerk to call the roll:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troiike and Rodgers

Nays: (0)

Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

J. WORKSHOP ITEM

1. Presentation by Finance Director John Sawyers of the Proposed Budget for Fiscal Year Beginning May 1, 2017 and Ending April 30, 2018.

K. OLD BUSINESS

None

L. NEW BUSINESS

None

Mayor Yukich stated that the previously planned Executive Session was no longer necessary and the Board would not enter into Executive Session.

M. ADJOURNMENT

Trustee Caprio made a motion to adjourn the meeting, seconded by Trustee Costa.

Voice Vote:

Ayes: (6) Trustees Costa, Sweas, Burian, Caprio, Neitzke-Troiike and Rodgers

Nays: (0)


Abstained: (0)

Absent: (0)

The Mayor did not vote.

The motion carried.

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



Ann Holtz, Village Clerk

Approved at the Board of Trustees Meeting dated April 12, 2017