



**MINUTES OF THE REGULAR FRANKFORT VILLAGE BOARD MEETING
JUNE 21, 2021**

Mayor Keith Ogle called the regular meeting of the Frankfort Village Board to order on Monday, June 21, 2021, at 7:07 P.M.

Village Clerk Katie Schubert called the roll. In attendance were Mayor Keith Ogle, Clerk Katie Schubert, Trustees Adam Borrelli, Margaret Farina, Michael Leddin, Jessica Petrow, Daniel Rossi, and Gene Savaria. Also in attendance were Attorney George Mahoney, Attorney Hannah Lamore, and Police Chief John Burica.

APPROVAL OF SPECIAL ORDERS – UNANIMOUS CONSENT AGENDA

All items on the Omnibus Agenda are considered to be routine in nature and are enacted in one motion. There is no separate discussion of these items unless a board member makes a request, in which event, the item will be removed from the Consent Agenda and will be considered separately.

Trustee Borrelli requested the removal of Item E, Village Administrator Employment Agreement from the Consent Agenda.

A. Approval of Minutes

1. Regular Meeting (June 7, 2021)

B. Approval of Bills/Payroll - \$338,323.69/\$410,154.89

C. Committee of the Whole Report

1. 2021 Roadway Maintenance Program: Bid Approval – Resolution
Accept the recommendation of the Committee of the Whole and adopt A RESOLUTION (NO. 21-21) AUTHORIZING THE EXECUTION OF A CONTRACT WITH P.T. FERRO CONSTRUCTION CO., for the 2021 Roadway Maintenance Program, in the amount of \$2,874,528.53.
2. Elm Street and Wisconsin Road Improvements: Bid Approval – Resolution
Accept the recommendation of the Committee of the Whole and adopt A RESOLUTION (NO. 21-22) AUTHORIZING THE EXECUTION OF A CONTRACT WITH P.T. FERRO CONSTRUCTION CO., for the Elm Street and Wisconsin Road roadway improvements, in the amount of \$439,106.04.
3. Leak Detection Survey: Professional Services Agreement – Resolution
Accept the recommendation of the Committee of the Whole and adopt A RESOLUTION (NO. 21-23) AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES

AGREEMENT WITH M.E. SIMPSON CO., INC. to perform a Water Distribution System Leak Detection Survey, in the amount of \$44,500.00.

4. Sanitary Sewer Evaluation Survey: Engineering Services Agreement - Resolution
Accept the recommendation of the Committee of the Whole and adopt A RESOLUTION (NO. 21-24) AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BAXTER & WOODMAN, INC., for professional engineering services related to the 2021/2022 Sanitary Sewer Evaluation Survey, in the amount of \$189,000.00.

D. Plan Commission Report Summary

1. Method Athletics Special Use Permits: 702 Center Road - Ordinance
(Waive 1st and 2nd Readings)
Accept the Plan Commission recommendation, waive the First and Second Readings, and pass AN ORDINANCE (NO. 3303) GRANTING SPECIAL USE PERMITS FOR INDOOR RECREATION AND ENTERTAINMENT AND EXTENDED HOURS OF OPERATION OF 5:00 A.M. OPENING TO CERTAIN PROPERTY LOCATED WITHIN THE LIMITS OF THE VILLAGE OF FRANKFORT, WILL AND COOK COUNTIES, ILLINOIS, to accommodate the operation of Method Athletics, located at 702 Center Road, in accordance with the reviewed plans and public testimony, and conditioned upon the overhead door along the northern façade of the building remaining closed until 7:00 A.M.
2. 1.5 Mile Review: Pedigo Subdivision Final Plat Approval – 9257 W. Franklin Avenue
Accept the Plan Commission recommendation and approve the final plat for the Pedigo Subdivision, located at 9257 W. Franklin Avenue in unincorporated Frankfort Township, prepared by Ruettiger, Tonelli & Associates, Inc., latest revision dated 05.17.2021, in accordance with the reviewed plans.
3. Plat of Abrogation: 20523 Abbey Drive – Approval
Accept the Plan Commission recommendation and approve the Plat of Vacation and Abrogation of the 10’ public utility and drainage easement for the property located at 20523 Abbey Drive (Lot 8A) in the Abbey Woods Subdivision, prepared by Joseph A. Schudt & Associates, dated 08.28.20, in accordance with the reviewed plans.

E. Village Administrator Employment Agreement – Removed from Consent Agenda

Trustee Petrow made a motion (#1), seconded by Trustee Farina, to approve the Unanimous Consent Agenda.

Trustees Borrelli, Farina, Petrow, Rossi, and Savaria presented a brief overview of the consent agenda docket items under consideration for approval.

Clerk Schubert called the roll. Ayes: Trustees Borrelli, Farina, Leddin, Petrow, Rossi, and Savaria. Nays: None. The motion carried.

VILLAGE ADMINISTRATOR EMPLOYMENT AGREEMENT

Trustee Borrelli made a motion (#2), seconded by Trustee Petrow, to table the item concerning the Village Administrator Employment Agreement.

Mayor Ogle invited trustee comment on the item prior to a vote being taken.

Trustee Farina stated she was a little perplexed at why the item was being tabled, noting the Village Board had negotiated the contract with Administrator Piscia. She voiced support to move forward with the current contract in good faith with our employee and our staff lead.

Clerk Schubert called the roll. Ayes: Trustees Borrelli, Leddin, Petrow, Rossi, and Savaria. Nays: Trustee Farina. The motion carried.

PLAN COMMISSION REPORT SUMMARY

A. Rapcan Residence Variance: 11 W. Sauk Trail – Ordinance (Waive 1st and 2nd Readings)

Trustee Leddin presented a brief overview of the Rapcan residence driveway variance request. He reported the Village's Zoning Ordinance, Article 6, Part 2 (i), requires that driveways not exceed 28' wide at the property line and are not wider than the width of the garage when within 20' of the garage. The existing driveway is 17' wide and approaches a garage that is 23'9" wide. The applicants propose a 15' wide addition to the north side of their existing driveway. The addition would result in a driveway measuring 32' wide, exceeding both the 28' maximum driveway width and the width of the existing garage.

Trustee Leddin reported the Plan Commission reviewed the variance request at its June 10, 2021 public hearing on the project and forwarded a split recommendation to the Village Board with two members voting in favor of the variance request and four members voting against it.

Mayor Ogle invited trustee and audience comment on the variance request prior to a vote being taken.

Tom and Beth Rapcan spoke before the Village Board to provide a clearer picture of their variance request to expand their existing driveway to accommodate their vehicles and guest parking. They explained their vehicles do not fit lengthwise in their current driveway and there is limited parking on Sauk Trail. They reported St. Peters Church allows them to use the parking lot, however it is not always an option due to events and the preschool. They also shared traffic concerns on Sauk Trail, noting heavy traffic and the difficult to navigate road due to preschool traffic.

A brief question and answer period ensued between the applicants and the Village Board. Board members shared concerns regarding the new traffic pattern for St. Peter's preschool and its effect on Sauk Trail. Chief Burica indicated the Traffic Advisory Committee will review the matter.

Neighboring residents located at 141 Ash Street, 202 Ash Street, and 218 Ash Street shared their support of the project and also voiced traffic concerns.

Attorney Mahoney noted override of denial by the Plan Commission/Zoning Board of Appeals of a variation proposed by ordinance requires 2/3 vote of the trustees (four affirmative votes).

Trustee Leddin made a motion (#3), seconded by Trustee Farina, to waive the First and Second Readings, and pass AN ORDINANCE (NO. 3304) GRANTING A ZONING VARIANCE FOR CERTAIN PROPERTY LOCATED WITHIN THE LIMITS OF THE VILLAGE OF FRANKFORT, WILL AND COOK COUNTIES, ILLINOIS (RAPCAN RESIDENCE – 11 W. SAUK TRAIL), granting a driveway variance from Article 6, Part 2 (i) to permit a 32' wide driveway, exceeding both the maximum driveway width of 28' at the property line and the width of the garage when within 20' of the garage, in accordance with the reviewed plans and public testimony.

Mayor Ogle invited any additional trustee comment on the variance request prior to a vote being taken. Trustee Petrow thanked Mr. and Mrs. Rapcan for providing the additional details. She recognized that the Downtown Residential Design Guidelines encourage side load or detached garages, and the variance request was supported by the Olde Town Homeowners Association. Trustee Borrelli acknowledged the challenges of parking on Sauk Trail and voiced safety concerns, in particular with the changes in traffic flow with the preschool.

Clerk Schubert called the roll. Ayes: Trustees Borrelli, Farina, Leddin, Petrow, Rossi, and Savaria. Nays: None. The motion carried.

Mr. Rapcan thanked the Village Board for their support of the project. He also thanked staff members Chris Gruba and Janine Farrell and the Downtown Homeowners Association for their support and assistance in the process.

MAYOR'S REPORT

- Mayor Ogle reported the Committee of the Whole is exploring rezoning areas identified in the Village's 2040 Comprehensive Plan.
- Mayor Ogle entertained a motion from the floor to recognize Supt. Dr. Maura Zinni for a distinguished educational career with a proclamation.

Trustee Farina made a motion (#4), seconded by Trustee Petrow, to acknowledge with gratitude the significant contributions made to the education and development of our youth by Dr. Maura Zinni through her outstanding leadership and dedication to Frankfort School District 157-C. A voice vote was taken. All were in favor. The motion carried.

Dr. Zinni thanked the Village Board for the recognition and their partnership with the 157-C School Board in serving the children and families of this wonderful community.

- Mayor Ogle announced the winners of the “Get Hooked on Frankfort” Fishing Derby held on Saturday, June 12.
- Mayor Ogle announced the following weekly happenings in downtown Frankfort: Cruisin’ Frankfort (every Monday, 5:00 P.M. - 8:00 P.M.); Frankfort Country Market (every Sunday, 9:00 A.M. – 1:00 P.M.); and Concerts on the Green (every Sunday, 6:30 P.M. – 8:00 P.M.).
- Mayor Ogle announced the July 4th Fireworks Show is scheduled to be held at Main Park on Sunday, July 4.
- Mayor Ogle announced the next regularly scheduled Village Board meeting will be held on Tuesday, July 6, at 7:00 P.M.
- Mayor Ogle announced the annual Rib Cook-Off is scheduled for Saturday, July 31, in downtown Frankfort.

BOARD COMMENTS

Clerk Schubert congratulated Dr. Maura Zinni and wished her the best in her retirement. She reported that she and Deputy Clerk Theresa Cork met with a field representative from the Secretary of State’s office to update the Village’s application for authority to dispose of local records. She reported this item will be presented at a future Village Board meeting upon its completion.

Trustee Leddin congratulated Dr. Zinni on her fine service to the community and the schools and he wished everyone a belated happy Father’s Day.

Trustee Savaria extended his congratulations to Dr. Zinni, and he commented on Cruisin’ Frankfort returning to downtown Frankfort.

Trustee Farina congratulated Dr. Zinni and complimented her on a phenomenal job, noting one reason people move to Frankfort is our strong school district. She also expressed her excitement for the return of events and shared that she is encouraging her husband to participate in the Rib Cook-Off this year. She reported the Chamber of Commerce is still looking for Fall Fest volunteers and encouraged anyone who is interested to attend an informational meeting on Wednesday, June 23, at 6:30 P.M., at the Village Administration Building.

Trustee Petrow recognized Village staff for their beautification efforts and the return of Village sponsored events. She congratulated Dr. Zinni and wished her a wonderful retirement. She stated she was encouraged to see so many people in the audience and she welcomed public comment and participation.

Trustee Borrelli congratulated Dr. Zinni and thanked the entire 157-C School Board for their leadership during this pandemic.

Trustee Rossi extended his congratulations to Dr. Zinni. He encouraged residents to enjoy the 4th of July Fireworks at Main Park and to keep the community safe by not putting on their own fireworks display.

POLICE DEPARTMENT REPORT

Chief Burica reminded residents to leave the fireworks to the professionals. He congratulated Dr. Zinni on her retirement and expressed his appreciation for the school district's partnership with the school resource officer program. He thanked Will County EMA and New Lenox CERT for their assistance with a missing person case. He expressed his condolences to Deputy Chief Keegan and his family on the passing of his father. Chief Burica concluded by reminding residents to continue locking their vehicles, removing keys and key fobs, and closing their garage doors at night, #9PM Routine.

VILLAGE ATTORNEY'S REPORT

Village Attorney Lamore had no report.

OTHER BUSINESS

There were no other items for discussion.

PUBLIC COMMENT

A host of residents from the Prestwick Subdivision spoke before the Village Board to share their concerns regarding a home located at 600F Aberdeen Road operating as an Airbnb vacation rental, citing safety and quality of life as main concerns. Prestwick residents shared what they perceived to be violations of the Village's zoning ordinance and referenced several sections of the municipal code to support their position. Prestwick homeowners asked the Village Board to enforce Village ordinances and regulate rentals in Frankfort.

Randy Pertler, property owner of 600F Aberdeen Road, addressed the Village Board and described his rentals to date. He stated he purchased the house to rehab and flip it over a year ago and invested over \$120,000 into the home. He shared that he had contacted Village staff member Adam Nielsen and Prestwick HOA President Brandon Palmer prior to renting the property to determine if there were any rules or regulations regarding rentals in any duration, both of which indicated there were not any regulations or policy against rentals and encouraged him to screen the renters as much as possible to avoid any potential problems.

Attorney Lamore stated the first line of defense in these situations is looking to the HOA and she offered to take a further look at Prestwick's covenants. She noted one limitation that the Village has to take into consideration when reviewing the matter is that the Village of Frankfort is a non-home rule municipality meaning that the Village can only exercise those powers provided for by statute. Attorney Lamore reported she has identified other non-home rule municipalities in Illinois that have provided for some regulations, some of which is in the form of licensing and certain zoning districts. She noted counsel is exploring options to present to the Village Board for their consideration.

Mayor Ogle and board members thanked the residents for their comments and stated they looked forward to the feedback from the Village attorneys in addressing this matter.

ADJOURNMENT TO EXECUTIVE SESSION

Trustee Farina made a motion (#5), seconded by Trustee Petrow, to adjourn to Executive Session for the purpose of discussing personnel – 5 ILCS 120/2(c)(1); purchase of real property - 5 ILCS 120/2(c)(5); and litigation 5 ILCS 120/2(c)(11).

Clerk Schubert called the roll. Ayes: Trustees Borrelli, Farina, Leddin, Petrow, Rossi, and Savaria. Nays: None. The motion carried.

The Village Board adjourned to Executive Session at 9:02 P.M.

The Village Board came out of Executive Session at 10:16 P.M. and resumed the regular board meeting.

No action was taken as a result of Executive Session.

ADJOURNMENT

Hearing no further business, Trustee Savaria made a motion (#6), seconded by Trustee Borrelli, to adjourn the regular board meeting of Monday, June 21, 2021. A voice vote was taken. All were in favor. The motion carried. The meeting adjourned at 10:17 P.M.

Katie Schubert
Village Clerk

As Presented As Amended

_____ Keith Ogle, Village President

_____ Katie Schubert, Village Clerk