



MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
NOVEMBER 9, 2022

CALL TO ORDER

Mayor Keith Ogle called the Committee of the Whole meeting to order at 6:01 P.M. on Wednesday, November 9, 2022, at the Village Administration Building, 432 W. Nebraska Street, Frankfort, Illinois.

ROLL CALL

Village Clerk Katie Schubert called the roll. In attendance were Mayor Keith Ogle, Clerk Katie Schubert, Trustees Adam Borrelli, Margaret Farina, Jessica Petrow, and Dan Rossi. Staff in attendance included Village Administrator Rob Piscia, Assistant Administrator John Burica, Police Chief Leanne Chelepis, Utilities Director Zach Brown, Director of Community and Economic Development Michael Schwarz, and Deputy Clerk Theresa Cork. Trustees Michael Leddin and Gene Savaria were absent.

APPROVAL OF MINUTES (OCTOBER 12, 2022)

Trustee Farina made a motion, seconded by Trustee Rossi, to approve the minutes of the Committee of the Whole meeting of October 12, 2022. A voice vote was taken. All were in favor. The motion carried.

ENGINEERING SERVICES AGREEMENT: 2022-2023 JACKSON CREEK SANITARY SEWER EVALUATION SERVICES (SSES) BASINS 1 & 4

Utilities Director Brown reported the Village conducted a flow monitoring survey within the ±11.3 square mile Jackson Creek sanitary sewer sub-basin that serves the southwest region of the Village. He stated the study helped to pinpoint specific areas within the basin that are allowing stormwater to enter the sanitary sewer system during wet weather events (inflow & infiltration/I&I). In continuation of these investigatory efforts, staff proposes to conduct manhole inspections and sanitary sewer televising to identify specific defects and determine the most cost-effective repairs for the sanitary sewer collection system tributary to the Jackson Creek Station. Director Brown presented a proposal from Robinson Engineering with a not to exceed amount of \$86,740 for the project. He reported the total cost of the project including engineering services is estimated to be \$246,740 and noted the cost for engineering design and construction is included in the FY2022/2023 budget.

Trustee Borrelli made a motion, seconded by Trustee Petrow, to forward a recommendation to the Village Board to enter into an engineering services agreement with Robinson Engineering for the

2022 Jackson Creek Sanitary Sewer Evaluation Services Basins 1 & 4 Project, in an amount not to exceed \$86,740.00. A voice vote was taken. All were in favor. The motion carried.

CONSERVATION FOUNDATION DONATION OF PARCEL: PIN 19-09-15-300-024-0000

Administrator Piscia presented a letter from The Conservation Foundation (TCF), a nonprofit land and watershed conservation group, respectfully requesting the Village of Frankfort to accept title to a 1.2-acre property within Village limits and adjacent to Village-owned land. TCF accepted title to parcel (PIN# 19-09-15-300-024-0000) from the Land Conservancy of Will County when it was in the process of dissolving. Administrator Piscia reported there would be no cost for the land itself, but the Village would assume expenses for the transfer. Administrator Piscia stated that the Village has no use for the property and expressed concerns of future maintenance, noting the property is in a “natural state.” He requested direction from the Village Board.

Board members discussed the request from TCF and asked staff questions about the parcel. Following discussion, it was the consensus of the Village Board to discuss the matter at a later date with more information on maintenance needs.

7 N. WHITE STREET PROJECT - ELECTRICAL COMPONENTS RELOCATION

Community and Economic Development Director Schwarz reported the Village received a letter from Managing Partner Dan Elliot of Integrus Development requesting to purchase additional square footage as part of the contract for sale of 7 N. White Street. Mr. Elliot further requested the Village to cover the costs to relocate the electrical transformer and reroute the underground electrical lines that feed into the transformer on the subject property. Village staff had Excel Electric provide an estimate of the cost to relocate the electrical transformer and wiring which is \$36,575.00.

Mr. Elliot approached the podium and shared that these two items were discovered during the preparation of the site development and architectural plans required for the project. He explained the proposed 10,500 square feet of the property will not be sufficient to accommodate the building and other improvements. He requested an additional 3,220 square feet. The additional space will allow the outdoor patio to be entirely within the acquired property and allow the trash enclosure to be located immediately next to the building. Mr. Elliot further explained that the electrical transformer that serves the parking lot lights, the gazebo, and the pond aerator, will impact the construction of the building as it is located on the northwest corner of the proposed property and within the building footprint.

Mayor Ogle opened the floor for discussion.

Committee members discussed the two requests from Mr. Elliot at length. Members had differing views on whether the taxpayers or the developer should bear the costs to relocate the electrical transformer which was discovered during the 180-day due diligence period. Members also discussed the approved incentives for the proposed development which includes waiver of building permit fees; waiver of water/sewer tap on fees; and a Targeted Incentive Program (TIP) grant award of 13% for incurred hard project costs. It was noted that the combined maximum total

amount of all Village incentives, fee waivers, and any other Village-incurred costs is capped at \$500,000 for any single project. Members also acknowledged the Village Board has the discretion to approve a grant award up to a maximum of 20% of the incurred hard project costs. Concerns were expressed with increasing the grant award amount when there are other opportunities to invest within the Village, including the vacant Butera and Sports Authority properties. Members also considered splitting the costs with the developer for the relocation of the electrical transformer. Mayor Ogle noted Trustee Savaria who was not able to attend this meeting had expressed to him that he would support splitting the costs with the developer.

Following discussion, it was the consensus of the majority of the members to direct staff to split the costs with Integrus Development for the relocation of the electrical transformer and underground wiring. It was noted the cost-sharing of these improvements is not included as part of the original monetary incentive grant of 13% and Mr. Elliot acknowledged that he would be responsible for the entire amount if the project does not move forward.

Members continued the discussion regarding Integrus Development purchasing an additional 3,220 square feet of Village-owned property to allow the proposed outdoor patio and trash enclosure to be located entirely within the acquired property. Administrator Piscia stated that increasing the square footage would require reinitiating the RFP process similar to original sale. Staff was asked to obtain a legal opinion on whether an RFP process was necessary for Integrus Development to purchase the additional 3,220 square feet. Administration Piscia recommended a lease agreement to simplify the process. Members discussed Village lease agreements with other businesses for outdoor patio space and trash enclosures on Village-owned property. Mr. Elliot acknowledged he was open to purchasing the property if an RFP process was not necessary otherwise, he would be willing to enter into a lease agreement with the Village for the outdoor patio and trash enclosure space. The Committee was amendable to a lease agreement.

2 SMITH STREET UPDATE

Mayor Ogle asked if Jill Plesha or any representative was present in the audience for the 2 Smith Street property. No one stepped forward.

DRAFT ANNEXATION AGREEMENT - OLDE STONE VILLAGE 1ST ADDITION

Director Schwarz presented a draft annexation agreement for Olde Stone Village 1st Addition, a proposed 15-lot detached single-family residential subdivision located to the northeast of the existing western portion of Olde Stone Village. Director Schwarz reported the existing Olde Stone Village Subdivision has only one point of access. He noted the developer attempted to create a second vehicular access point from either Wolf Road or through the Will County-owned communications tower parcel to the west. However, Will County is not authorized to grant access to the private road since the property has a deed restriction which states that it only shall be used and maintained for law enforcement, public safety, and/or related purposes for the County of Will and/or local governmental entities; and the Church of Latter-Day Saints is not interested in selling their property at this time.

Director Schwarz reported the Plan Commission conducted public hearings on the proposed rezoning on March 24, 2022 and June 23, 2022. The Plan Commission forwarded a unanimous 5-0 recommendation to the Village Board to rezone the northern parcel from the E-R Estate Residential District to R-2 Single-Family Residential District upon annexation and a split 3-2 recommendation to approve the Final Plat of Subdivision.

Director Schwarz concluded by noting the Village received petitions from Olde Stone Village residents today to establish a second vehicular entrance to Olde Stone Village (west) for the proposed new development of Olde Stone Village 1st Addition pursuant to Zoning Ordinance, Article 7, Section A, Part 3, (e)(2) states that within more than 30 dwelling units, at least two points of vehicular access are required. These petitions were distributed to the Village Board this afternoon.

Mayor Ogle acknowledged Fire Chief Sean Fierce, and several residents of the Olde Stone Subdivision were in the audience and invited public comment on the item.

Fire Chief Fierce reported that he was contacted by a Olde Stone resident earlier today regarding emergency access and meeting the provisions of the Fire Code for the proposed development. He reported the Fire Protection District does not have any concerns with the proposed development and the cul-de-sac meets turning radius requirements. Chief Fierce also shared examples of other subdivisions within the Village that have only one access point and noted the Fire District has the discretion within the Fire Code to authorize exceptions.

Several residents of the Olde Stone Subdivision spoke out against the proposed layout of the development due to safety and density concerns, the single point of vehicular access to the subdivision, and requirements of the International Fire Code, Section 107.1.

The applicant/developer, Mark Berardelli, approached the podium and spoke about the proposed development and their due diligence to obtain property for a second point of access. He further reported the Army Corps of Engineers would not support construction of a bridge for access to Wolf Road.

Mayor Ogle opened the floor for committee comments.

Committee members expressed concerns regarding the proposed development's noncompliance with the Village's Zoning Ordinance requirements pertaining to a second access point for the subdivision. Members voiced hesitation to support the proposed development without first establishing a second access point and to further worsen nonconformance.

Audience member, Jessica Halpin, approached the podium, and stated that it was her understanding that the Army Corps of Engineers would support a bridge for access to Wolf Road.

Committee members requested a record of denial from the Army Corps of Engineers for the proposed bridge from Mr. Berardelli.

Staff noted the annexation agreement requires a Public Hearing before the Village Board prior to consideration.

2023 MEETING AND HOLIDAY CALENDAR

Deputy Clerk Cork presented the proposed 2023 Meeting and Holiday Calendar for committee consideration and discussion. She reported the calendar takes into consideration the Village's ten observed holidays, and meeting dates for the Village Board, Plan Commission/Zoning Board of Appeals, Historic Preservation Commission, and Committee Night.

Members discussed the proposed calendar taking into consideration school calendars and holidays. Following discussion, it was the consensus of the members to schedule only one Village Board meeting in the month of January 2023, eliminating the January 3rd meeting; move the June 19th Village Board meeting to June 20th; and move both Village Board meetings in July from July 3 to July 10 and from July 17 to July 24.

PUBLIC COMMENT PERIOD - DISCUSSION

Committee members discussed the format for Village Board agendas. Members considered placing "Public Comments" at the beginning of meetings rather than at the end to allow the public to speak prior to the Village Board voting on the unanimous consent agenda items. Members were not in favor of establishing policy for public comments or placing time limits on public comments. Members considered "witness slips" for members of the public who wish to speak at Village Board meetings.

Following discussion, it was the consensus of the Committee that it would be best practice for Mayor Ogle to invite public comment prior to the Trustees voting on the unanimous consent agenda items.

OTHER BUSINESS

- *July 4th Fireworks Display*

Mayor Ogle reported the Frankfort Park District did not receive support for its Park Preservation Referendum at the November 8, 2022 General Election. He noted the Village will work in partnership with the Frankfort Firefighters Foundation and IAFF 4338 Union to sponsor the 4th of July fireworks display. He further noted the Village Board will need to enter into a contract with the fireworks company and may consider alternate locations for the event due to parking issues.

- *Non-Permitted Accessory Structures*

Trustee Petrow asked about the temporary vestibule located at the Opa! Restaurant. Staff reported they are working with the owner to have it removed or corrected to meet municipal code.

- *Fleet Tracker*

Trustee Petrow asked about technology for tracking of municipal trucks for leaf collection and snowplow updates. Asst. Administrator Burica noted that he discussed the matter with Supt. Kestel and staff is looking at opportunities to provide these updates.

- *Plan Commission Training*

Trustee Petrow inquired about training for Plan Commissioners. Director Schwarz noted training most recently was provided to the Plan Commission in May 2022 and the American Planning Association Illinois Chapter is currently developing on-demand training videos which will be available in the near future.

- *Pfeiffer Road Project*

Administrator Piscia reported staff met with Robinson Engineering and the Pfeiffer Road project is anticipated to go out to bid February 2023.

PUBLIC COMMENTS

Mike Schideler, owner of Olde Frankfort Mall (commonly known as the Frankfort Bowl building), expressed interest in purchasing the 2 Smith Street property.

ADJOURNMENT

Hearing no further business, Trustee Borrelli made a motion, seconded by Trustee Farina, to adjourn the Committee of the Whole meeting of Wednesday, November 9, 2022. A voice vote was taken. All were in favor. The motion carried. The meeting adjourned at 8:33 P.M.