

VILLAGE OF FRANKFORT
LAND USE AND POLICY COMMITTEE MINUTES
November 10, 2010

CALL TO ORDER

Chairman Kevin Egan called the meeting of the Land Use and Policy Committee to order on November 10, 2010, at 6:00 p.m., at the Village Administration Building, 432 W. Nebraska Street.

ROLL CALL

Land Use and Policy Committee members in attendance were Mayor Jim Holland, Chairman Kevin Egan, Don Lorenz, Brian Samuels and Paul Slade. Others in attendance included Trustees Doug Walker, Dick Trevarthan and Mike Stevens; Asst. Village Administrator Rob Piscia, Police Chief John Burica, Community Relations Manager Mary Canino; Director of Utilities Darrin Yount, Senior Planner Zach Brown, Plan Commissioner Don Schwarz, Derek Wood and Amanda Poole from Baxter & Woodman; Majestic Pines subdivision residents Cliff Sullivan, Lisa and Anthony Mazziotta; Rick Barba, Flagstone subdivision resident Eric Siss; Theresa Kara, Ken Hawke and Charlie Kaminski.

APPROVAL OF THE MINUTES (October 13, 2010)

Trustee Trevarthan made a motion (#1), seconded by Trustee Stevens, to approve the minutes of the Land Use and Policy Committee for October 13, 2010, as presented. The motion was unanimously approved.

POLICE DEPARTMENT DISCUSSION

A. National Incident Management System (NIMS) Resolution

Chief Burica presented a Resolution to accept the National Incident Management System (NIMS) model to insure the Village continues to receive federal grants. Homeland Security developed the management guidelines for NIMS, which provides a consistent nationwide approach for federal, state, local, and jurisdictional government agencies to coordinate their efforts in the event of a domestic emergency or disaster.

Following discussion, Trustee Trevarthan made a motion (#2), seconded by Member Samuels, to forward a recommendation to the Village Board approving the National Incident Management System Resolution. The motion was unanimously approved.

B. Public Intoxication Ordinance

Chief Burica presented the committee with a memo stating his interest in moving forward with a public intoxication ordinance in order to allow the police to take those persons into custody that may be so intoxicated that they are creating a disturbance that is a danger to themselves or others. It was noted that this was not just to allow the police department to arrest those that have had too much to drink but rather to assist businesses that are having trouble with a patron causing problems while being drunk.

Following discussion, it was the consensus of the committee to have staff and the Village Attorney draft a public intoxication ordinance. Chief Burica will work with the Village Attorney to bring the draft ordinance back to committee at a future meeting.

C. Pawn Broker Reporting Ordinance

Chief Burica presented a recommendation to create a pawn/jewelry/resale store ordinance that would require business owners to notify the Will County Sheriff's office that these items were received during daily business transactions. He noted the ordinance would be used in conjunction with the County's Pawn Locator Program which allows officers to search items sold to these shops. Chief Burica further noted unincorporated areas of Will County are already implementing this program.

Mayor Holland noted it was important to get the business owners' input and he voiced his appreciation to the police department for taking the initiative to seek out the merchants' cooperation in the implementation of the upcoming program.

It was the consensus of the committee to move forward with the drafting of a pawn ordinance by the Village Attorney to be brought to the Village Board for adoption. Member Slade made a motion (#3), seconded by Member Samuels, to recommend such action pursuant to memo. The motion was unanimously approved.

MAJESTIC PINES SUBDIVISION COVENANTS AND RESTRICTIONS

Senior planner Zach Brown presented a memo outlining a proposal to reduce the minimum square footage requirements for the Majestic Pines subdivision which would require changes to the subdivision's covenants and restrictions.

It was noted that the original developer, Mallow Construction, has filed for bankruptcy and the current owner, State Bank of Countryside, is attempting to find a buyer to finish the development.

Mr. Brown's memo included a table showing the proposed square footage modifications to the Majestic Pines subdivision. It was noted that the proposed changes exceed minimum ordinance

requirements but are at the lower end of the spectrum in comparison to newer single-family subdivisions in the Village.

Trustee Trevarthan communicated that he is concerned that the market may be driving such changes to bolster new construction, but he does not want our standards lowered in order to drive growth. Member Slade stated that the State Bank of Countryside could seek, through the foreclosure process, to have all covenants and restrictions abolished and only the minimum standards imposed for the subdivision.

Prospective developer/owner of the Majestic Pines subdivision, Richard Barba of Barba Concrete, stated modification of the covenants to reduce minimum square footage requirements are proposed to meet his target price points. He stated in other neighborhoods where he is building, the homes far exceed the 2200-2600 square foot requirements. He stated his plans were to market homes in the low \$400,000 range for 2600 square foot homes.

Majestic Pines resident Lisa Mazziotta noted she was not in favor of reducing the requirements as stated in the covenants and restrictions in order to increase the number of homes in the subdivision. She believes such a move would lower the value of her home. Nor was she in favor of artificially attempting to spur growth, as she was a proponent of real growth, which would reinforce the quality standards set by the Village.

Mayor Holland stated he spoke with another homeowner in Majestic Pines who also was not in favor of a reduction in the square footage requirement.

Additional discussion ensued, both in support and opposition to the proposed changes. The residents believed it would only further devalue their homes. They realized, however, the decision ultimately rested with the State Bank of Countryside as to whether or not the covenants and restrictions would be upheld through the foreclosure process.

The committee was reluctant to set a precedent that would impact the covenants and restrictions of the Majestic Pines subdivision, even if they met our current standards. Therefore, it was the consensus of the committee not to make any changes to the Majestic Pines covenants and restrictions.

FLAGSTONE HOMEOWNER ASSOCIATION REQUEST: USE OF MAINTENANCE FUNDS FOR POND RESTORATION

Mr. Brown presented an overview of a request from the Flagstone Common Areas Maintenance Association to use maintenance funds to restore the subdivision's retention ponds. The Association requested the approval of the use of \$15,300 in maintenance funds to stabilize the shoreline with wetland/prairie plantings. The Association requests Village concurrence with its request.

Eric Sigg of the Flagstone association board stated they are looking to move forward with the purchase of the plantings to improve the retention ponds.

Trustee Stevens made the motion (#4), seconded by Member Samuels, to concur in the release of Flagstone Common Areas Maintenance Association funds for retention pond restoration efforts. The motion was unanimously approved.

TRAFFIC ADVISORY COMMITTEE RECOMMENDATION

A. Wolf Road Speed Limit Change to 40 MPH: Quiet Zone Requirement

Rob Piscia presented a recommendation of the Traffic Advisory Committee to lower the speed limit on Wolf Road from Laraway Road to U.S. Route 30 to 40 mph for the establishment of a Quiet Zone. It was noted the Village of Frankfort has jurisdictional control of Wolf Road in this area and that the traffic advisory committee wished to maintain the continuity of speeds along the entire route.

Mayor Holland made a motion (#4), seconded by Trustee Stevens, to forward a recommendation to the Village Board to adopt an amendment to the Village Traffic Code to lower the speed limit on Wolf Road to 40 mph between Laraway Road and U.S. Route 30. The motion was unanimously approved.

HISTORIC DOWNTOWN SIGNAGE APPROVAL

Senior planner Zach Brown presented a discussion on the gateway monument signage for the historic district. He noted signs designed by The Wooden Sign Company had an estimated cost of \$23,000 for each sign. The question was asked whether the Village should seek additional companies to provide cost information on signage. Mr. Brown stated no other sign companies were interested providing estimates on the sample provided in fear of violating artistic copyrights. Other companies would want to start the process from the beginning and then provide a price quote.

Discussion ensued, with the committee asking whether it was ready to invest \$50,000 in two gateway monument signs. Trustee Trevarthan stated he was not in favor of proceeding with this type of expenditure at this time. Mayor Holland asked if modifications to our current signs could be provided with additional marketing information on them.

Further discussion was held as to whether new signs would drive additional business to justify the expenditure. Ken Hawke of the Downtown Merchants commented that it was their understanding the Village was looking for additional signage, including entry signs and wayfinding signs, to draw more visitors to the downtown area. He believed the gateway signage was necessary to achieve this purpose.

Teresa Kara also noted business owners are required to install quality signage for their shops and the Village should be held to the same standard for their entry level signs.

Charlie Kaminski remarked that the Downtown Partnership and other business owners have stated additional gateway monument signage is necessary to increase the number of visitors in the downtown area.

Additional discussion was held regarding the pros and cons of spending \$23,000 for each monument sign.

It was the consensus of the committee to ask Zach Brown to contact Mr. Janda of The Wooden Sign Company to see if he could provide a more conservatively priced sign. Trustee Doug Walker noted that he wants to make sure the quality of the sign is maintained at a more modest price.

2011 MEETING AND HOLIDAY CALENDAR

Rob Piscia presented Mr. Ducay's memo to the committee regarding the 2011 Village of Frankfort Meeting and Holiday Calendar.

Mayor Holland requested additional changes to the calendar. He requested the following modifications: for January, move the board meetings to January 10 and 24; move March 7th's meeting to March 8 in observance of Vladimir Pulaski Day; retain the April 18th meeting date for budget approval rather than move it to April 25; change the August meeting dates to August 8 and August 22 due to conflicts.

Mayor Holland noted these changes were in addition to the re-scheduling of several holidays from Monday to the subsequent Tuesday evening, including Presidents' Day (2/22/11), Fourth of July (7/5/11) and Labor Day (9/6/11).

Trustee Trevarthan made a motion (#5), seconded by Member Samuels, to support the changes to the 2011 Village of Frankfort calendar as discussed. The motion was unanimously approved.

UTILITY DEPARTMENT

A. West WWTP Digester Bid Approval

Darrin Yount presented a request for approval of the Concord Construction bid for construction of the conversion of the West Waste Water Treatment Plant digesters in an amount of \$1,464,000.

Trustee Trevarthan made a motion (#6), seconded by Member Samuels, to forward a recommendation to the Village Board to accept the low bid of Concord Construction in the

amount of \$1,464,000 for the West WWTP digester conversion. The motion was unanimously approved.

B. West WWTP Construction Engineering Agreement Approval

Mr. Yount also presented a memo for engineering services at the West Waste Water Treatment Plant. He recommended that Baxter and Woodman be awarded the construction engineering agreement, as they completed the Phase 1 segment of the project.

Trustee Trevarthan asked what work would be included in the \$129,000 for the project. He was concerned that it was 8.25% cost of the project and wondered what was included in those services.

Representatives from Baxter and Woodman were present and provided an overview of the project. They stated the \$129,000 was a “not to exceed” amount and was based on the hours of actual construction and engineering monitoring. Trustee Trevarthan and Mayor Holland wanted to make sure quality control assurances were part of the project and that the materials were covered and proper monitoring was being done.

Member Slade made a motion (#7), seconded by Trustee Stevens, to forward a recommendation to the Village Board authorizing the execution of a construction engineering agreement with Baxter and Woodman in an amount not to exceed \$129,000 for the digester conversion project. The motion was approved. Trustee Trevarthan voted nay due to the cost.

C. Emergency Well No. 11 Repairs: Approval

Darrin Yount requested approval to make emergency Well No. 11 repairs in an amount of \$81,030.45. He noted the well was currently off line and that repairs to be made were similar in nature to those recently completed on Well No. 12. He mentioned inspections were performed on Well No. 11 and the pump’s motor was salvageable.

Member Samuels made a motion (#8), seconded by Trustee Stevens, to forward a recommendation to the Village Board authorizing an expenditure to Layne Christensen Company in an amount of \$81,030.45 for repair work to Village Well No. 11. The motion was unanimously approved.

Mayor Holland noted that this is an emergency repair and should be included in the Village Board packet for Monday, November 15, 2010.

OTHER BUSINESS

Com Ed – Competition Agreement Legislation

Trustee Walker requested staff's investigation of competition agreement legislation regarding Com Ed's services and the impact of such legislation on village residents. He stated there is an "opt out" clause that impacts how much residents may be charged for electrical usage and he requested that staff look into the details of the legislation.

ADJOURNMENT

Member Slade made a motion (#9), seconded by Trustee Trevarthan, to adjourn the November 10, 2010 meeting of the Land Use and Policy Committee at 7:55 p.m. The motion was unanimously approved.

Recorded by (via tape): Rob Piscia

Transcribed by: Debbie Cox