

VILLAGE OF  
**FRANKFORT**  
EST. 1855

**MINUTES OF THE REGULAR FRANKFORT VILLAGE BOARD MEETING  
JUNE 5, 2017**

Mayor Jim Holland called the regular meeting of the Frankfort Village Board to order on Monday, June 5, 2017, at 7:00 P.M.

Deputy Clerk Theresa Cork called the roll. In attendance were Mayor Jim Holland, Deputy Clerk Theresa Cork, Trustees John Clavio, Cindy Heath, Keith Ogle, Bob Kennedy, Mike Stevens, and Dick Trevarthan. Also in attendance were Attorney George Mahoney, Police Chief John Burica, and Assistant Administrator Rob Piscia. Village Clerk Adam Borrelli was absent.

**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 Stevens requested the docket items pertaining to Blacksmith Corner: 12 Smith Street be removed from the Unanimous Consent Agenda.

A. Approval of Minutes

1. Regular Meeting (May 15, 2017)

B. Approval of Bills/Payroll - \$2,416,073.13/\$339,974.74

C. Plan Commission Report Summary

1. Gerardi Fence Design and Height Variance: 9507 W. Lincoln Hwy - Ordinance (Waive 1<sup>st</sup> and 2<sup>nd</sup> Readings and Adopt)

Accept the Plan Commission recommendation, waive the First and Second Readings, and adopt AN ORDINANCE (NO. 3090) GRANTING A FENCE DESIGN AND HEIGHT VARIANCE TO CERTAIN PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF FRANKFORT, WILL AND COOK COUNTIES, ILLINOIS (GERARDI RESIDENCE – 9507 W. LINCOLN HIGHWAY), granting a fence design variance from the open and decorative style requirement to a solid cedar privacy fence and a fence height variance from the four-foot front yard height requirement to six feet, for the property located at 9507 W. Lincoln Highway, in accordance with the reviewed plans and public testimony.

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

Following a motion to approve, Trustees Heath and Stevens provided a brief overview of the consent agenda docket items under consideration for approval.

Mayor Holland invited trustee and audience comment on the consent agenda items prior to a vote being taken. None were forthcoming.

Deputy Clerk Cork called the roll. Ayes: Trustees Clavio, Heath, Ogle, Kennedy, Stevens, and Trevarthan. Nays: None. The motion carried.

#### BLACKSMITH CORNER: 12 SMITH STREET

Trustee Stevens presented an overview of the Blacksmith Corner items under consideration for approval. He reported that applicant Gander Builders proposes to construct a 3-unit townhome development on the property located at 12 Smith Street. To accommodate construction of the proposed development, the applicant requests approval to rezone the property from Historic District (H-1) to Attached Single Family Residential District (R-4) with a special use for a Planned Unit Development (PUD) and approval of the final plat.

#### ***A. Rezone from H-1 Historic to R-4 Attached Single Family Residential – Ordinance***

Trustee Stevens made a motion (#2), seconded by Trustee Trevarthan, to accept the Plan Commission recommendation, waive the First and Second Readings, and adopt AN ORDINANCE (NO. 3091) REZONING CERTAIN PROPERTY WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF FRANKFORT, WILL AND COOK COUNTIES, ILLINOIS (12 SMITH STREET), rezoning the property from H-1 Historic District to R-4 Attached Single Family Residential District, in accordance with the reviewed plans and public testimony.

Prior to board discussion and a vote being taken on the project, Mayor Holland solicited audience comment on the Blacksmith Corner proposal.

Kaffel Court resident Vicki Novak addressed some of the concerns she had heard from several residents, including the short driveways, lack of guest parking, access to Kaffel Court during construction, size of the structures, and architecture of the proposed homes. She voiced her support of the project and felt the Blacksmith Corner development would be an asset to the downtown.

Resident Deborah Hardwick opposed the rezoning of the property from H-1 to R-4. She felt that the proposed development was not suitable for the property and would prefer a mixed-use development under the existing zoning.

Kaffel Court resident Kathy Mathews voiced her opposition of the project, citing density as her main concern. She was under the opinion that the concerns of Kaffel Court residents were less important to the Plan Commission than the size of the developer's profit. She was also concerned about the density of the proposed development setting a precedent for the future developments of nearby parcels currently owned by the Village. She felt the Village could do better than the proposed project.

Resident Carol Hatchey voiced her support for Steve Lecas and the proposed development, noting his professionalism, quality of work, and that he is a Frankfort resident who has done a lot for the town.

Resident Bruce Stone voiced his support for Mr. Lecas and the proposed development, stating that he felt the rezoning makes sense and felt it was a quality project.

Resident Matt Weber also voiced his support of the project, complimenting Gander Builder's distinct look and architecture of his homes.

Resident Mark Baker commended Mr. Lecas for his willingness to work with the residents on this project, exemplified by the multiple iterations the project has gone through to incorporate feedback from the public. He estimated some of the economic benefits of the proposed project. He mentioned a few of the objections to the project and felt each one had merit, but all were surmountable. Mr. Baker encouraged the Village Board to work with Mr. Lecas and embrace the project.

Kaffel Court resident Cliff Schlesinger stated the question is not about the quality of Mr. Lecas's work or what the project will bring to the community, but rather the issue is that the project is too large for the size of the property. He voiced parking, safety, and lack of greenspace as concerns.

Resident Jason Walsh spoke in support of the project. He noted that he has owned property in Kaffel Court and served on two Kaffel Court boards. He mentioned the daycare previously located in Kaffel Court and the traffic generated by the business. He noted very few traffic complaints were discussed at the monthly meetings during his tenure. Mr. Walsh provided a brief history of the parcel and a few comparisons of the project to Kaffel Court. He felt it was a quality project and would be an improvement to the overall downtown.

Paul Dicosola, Kaffel Court resident and member of the Kaffel Court Homeowners Association, provided a comprehensive summary of issues pertaining to the project. He stated that he attended two of the Plan Commission meetings on the project and had met with Village staff to address HOA matters between the Kaffel Complex and the Blacksmith Corner. He voiced his opposition to the project and felt it was simply too large of a project for the footprint. He referenced the material he previously sent to the Village Board and highlighted the concerns addressed in the packet. He stated his main concern was balance; the balance between the needs of the developer, the needs of the community, and the needs of the neighbors. He concluded by encouraging the Village Board to vote in the best interest of all of Frankfort.

Developer and resident, Steve Lecas, addressed a few of the points brought forth by members of the audience. He noted that the neighbors closest to the property expressed that they did not want commercial development on the parcel. He addressed parking concerns and stated that he has put the best tools in place to minimize any potential parking issues. He also addressed the size of the development and stated that it is not a viable project with two units.

Resident Vince Murray applauded Paul Dicosola's comments and commented that whether the developer can make a profit with two units versus three should not be a factor in the Village Board's decision.

A resident pointed out that the Kaffel Court condo/apartment owners are also taxpayers of Frankfort and felt their opinions on the development matter and that it would be a travesty if the project were approved. She felt the project will adversely affect their complex.

Resident Dennis Haake mentioned the short driveways and expressed his concern with homeowners backing into the narrow easement.

Following the public comments, Mayor Holland invited trustee comments on the project.

Trustee Ogle stated that he has researched the project, visited the site on several occasions, taken pictures, attended meetings, and carefully considered the comments received on the project. He then addressed some of the comments, noting the property is adjacent to R-4 development and is in close proximity to two parks and the trail. He referenced the driveways as points of access, which is common with density housing. He reported the fire department confirmed there is adequate access for emergency vehicles. He stated the Village Board's decision is not based upon property taxes or profit margins, but rather, is it good for the community as a whole. He voiced his support of the development.

Trustee Stevens voiced his appreciation to the residents for their passion and participation in the process. He addressed the comments received regarding profit, noting it is immaterial to the decision-making process if a developer makes a profit. He feels this development with two units on Elwood and one unit off of Smith Street will not have that big of an impact on Kaffel Court, referencing the daycare center previously operating in the complex. He commented that Mr. Lecas is a quality builder who lives and cares about Frankfort. He felt the design of the building complemented the downtown and the project will add benefit to the downtown.

Trustee Trevarthan voiced his support for the project and reflected on the Blacksmith property. He felt access could be improved with the future development of the Fra-Milco property, tying the two developments together.

Trustee Heath voiced her support of the project, noting the project does fit the vision of adding density to the downtown. She agreed with the rezoning from H-1 to R-4, noting it is what the residents closest to this property requested. She was sympathetic to the issues brought forth and felt it is a difficult decision because the residents are so passionately not in favor of the project, but overall feels the project will be a positive development for the Village.

Trustee Kennedy thanked residents of Kaffel Court for their letters and for voicing their concerns related to the project. He stated it is not an easy decision and echoed some of the comments mentioned by the other trustees.

Trustee Clavio stated there is no question that Kaffel Court residents should be heard and that Mr. Lecas builds a quality home. He emphasized Frankfort's strong zoning codes and encouraged residents to be concerned about all zoning change requests.

Asst. Administrator Piscia noted construction of the development will come with its challenges and that the Village will closely monitor the project to ensure access to Kaffel Court is maintained.

Mayor Holland commented on the decision making process of the Village Board, noting that the Village Board is comprised of independent people who do their due diligent researching the projects and carefully listen to the comments received by residents. Mayor Holland noted that he does not vote on items before the Village Board unless there is a tie. He further noted that he makes his decisions on the basis "is it good for the people of Frankfort and does it infringe upon other people's rights?" Mayor Holland went on to address a few of the concerns expressed from the residents and voiced his support of the project.

Deputy Clerk Cork called the roll: Ayes: Trustees Heath, Kennedy, Ogle, Stevens and Trevarthan. Nays: Trustee Clavio. The motion carried.

***B. Special Use for Planned Unit Development - Ordinance***

Trustee Stevens made a motion (#3), seconded by Trustee Heath, to accept the Plan Commission recommendation, waive the First and Second Readings, and adopt AN ORDINANCE (NO. 3092) GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT (PUD) TO CERTAIN PROPERTY LOCATED IN THE VILLAGE OF FRANKFORT, WILL AND COOK COUNTIES, ILLINOIS (BLACKSMITH CORNER – 12 SMITH STREET), granting a Special Use Permit for a PUD for the Blacksmith Corner Subdivision to permit construction of a three-unit townhome development, in accordance with the reviewed plans and public testimony, and conditioned upon no parking on Kaffel Court, final engineering approval, extending the sidewalk to the northern property line of Smith Street, and Village review and approval of any amendments to the covenants and restrictions.

Deputy Clerk Cork called the roll: Ayes: Trustees Heath, Kennedy, Ogle, Stevens and Trevarthan. Nays: Trustee Clavio. The motion carried.

***C. Final Plat Approval***

Trustee Stevens made a motion (#4), seconded by Trustee Trevarthan, to accept the Plan Commission recommendation and approve the Final Plat of Blacksmith Corner Subdivision, prepared by M. Gingerich, Gereaux & Associates, dated 04.03.17, in accordance with the reviewed plans and conditioned upon final engineering and staff approval of the covenants and restrictions.

Resident Kirk Nissen noted there is no parking allowed along Smith Street and requested enforcement of no parking during construction of the development.

Deputy Clerk Cork called the roll: Ayes: Trustees Heath, Kennedy, Ogle, Stevens and Trevarthan. Nays: Trustee Clavio. The motion carried.

## **FINANCIAL AFFAIRS COMMITTEE REPORT**

### **A. Proposed Increased Fees for Wastewater Facilities Plan and Road Maintenance Needs**

- 1. *Sewer Regulations Ordinance – First Reading***
- 2. *Recycling/Solid Waste Collection Ordinance – First Reading***
- 3. *Municipal Telecommunication Tax Ordinance – First Reading***
- 4. *Municipal Utility Tax Ordinance – First Reading***

Trustee Heath provided an overview of four draft ordinances proposing fees to address financing of the Village's Wastewater Facilities Plan and road maintenance needs. She reported sewer rate increases are necessary in order to secure a low interest loan with the Illinois Environmental Protection Agency (IEPA), which will provide funding for the necessary updates to the Village's aging Wastewater Facilities. The multi-year project is estimated to cost \$61 million. Additionally, the Village Board recognizes the need to increase the amount of funding to maintain our current roadways. The Village experienced substantial growth from 1997 to 2007, and these roads are in need of improvements. The Village has estimated that it will cost \$1.5 million to \$2 million to resurface its roads each year and additional revenue is needed to fund these improvements.

At its May 10, 2017 meeting, the Financial Affairs Committee discussed several revenue enhancement options to meet these and future capital needs of our community and forwarded the following recommendations.

Trustee Heath performed the First Reading of the following Ordinances:

Accept the recommendation of the Financial Affairs Committee and perform a First Reading of an Ordinance amending the Village of Frankfort Code of Ordinances, Title V: Public Works, Chapter 51, Water and Sewer Regulations, authorizing a sewer rate increase of \$1.59/1,000 gallons, effective September 1, 2017; and an additional sewer rate increase of \$1.59/1,000 gallons, effective September 1, 2018.

Accept the recommendation of the Financial Affairs Committee and perform a First Reading of an Ordinance amending the Village of Frankfort Code of Ordinances, Title V: Public Works, Chapter 50, Solid Waste Collection, increasing the Recycling and Garbage Collection Fees to the amount established in the Village's Scavenger Services Agreement.

Accept the recommendation of the Financial Affairs Committee and perform a First Reading of an Ordinance establishing a Simplified Municipal Telecommunication Tax in the amount of six percent (6%).

Accept the recommendation of the Financial Affairs Committee and perform a First Reading of an Ordinance establishing municipal utility taxes.

Mayor Holland invited trustee and audience comment on the First Reading of the Ordinances.

Trustee Stevens echoed Trustee Heath's comments, noting the proposed rate increases are necessary to avoid Village streets falling into disrepair and that these extra dollars are necessary to maintain the quality that residents demand.

Trustee Clavio felt these fees are necessary and encouraged residents to view these rate increases as accountability costs. He noted that the Village has been subsidizing trash collection for its residents and a portion of the water costs for years. He further noted the Village's wastewater system needs improvements and these rate increases are necessary in order to pay for these improvements. He stated some of these costs can be controlled by our water consumption and he shared a personal story of his passion for an emerald green lawn.

Trustee Kennedy expanded upon the proposed rate increases, noting the revenue received from these fees will maintain and provide core services to our citizens. He stated the sewer rate increases are necessary in order to demonstrate the Village's ability to repay the IEPA's low interest loan. He noted the fees are not revenue enhancers but are required to meet the operational and capital needs of the Village.

Asst. Administrator Piscia added that the Village Board has taken these proposed fees very seriously and presented the Ordinances at a time when they are needed in order for the Village to look to the future and plan for upcoming expenditures as well as potential threatened revenues.

Mayor Holland noted the Ordinances will be presented at the June 19, 2017 for Village Board approval.

### **MAYOR'S REPORT**

- Mayor Holland welcomed two new businesses to Frankfort.
- Mayor Holland announced sales tax revenue received for March collections (February sales) was \$428,738.40, which is \$11,262 under budget and \$18,655 under last year's amount. An income tax payment of \$92,560.04 was received in May for February collections, which is \$17,440 under budget and \$18,652 under last year's amount for the same time.
- Mayor Holland announced the following upcoming events: Fridays on the Green (June 9, 10:00 A.M. – 11:00 A.M., Breidert Green); Movies on the Green ("Secret Life of Pets," June 13, at dusk, Breidert Green); Fine Arts Fair (June 17, 10:00 A.M. – 3:00 P.M., Breidert Green); Concert on the Green (June 18, 6:30 P.M. – 8:00 P.M., Breidert Green); Fishing Derby (June 24, youngsters 8 to 12 years old, Prairie Park); landscaping beautification award nominations (due by June 30 to the Village Administration office).
- Mayor Holland commented on his recent absence from the previous Village Board meeting due to health reasons. He hoped that by sharing his personal story that it may help one of his fellow Frankfort residents. He reported that over the last few months he experienced shortness of breath while exercising vigorously such as playing basketball with his grandson. He went on to say that his doctor ordered a stress test and an anomaly was detected on the EKG. Within 24 hours,

he underwent surgery to have four stents inserted and to clear the blockages. He encouraged anyone who notices a change in their body to see a doctor as it may save their life.

### **POLICE DEPARTMENT REPORT**

Chief Burica reminded residents to be aware of their surroundings and exercise caution, citing a recent incident on Old Plank Road Trail (OPRT). He reported the Frankfort Police patrols the trail twice a day and encouraged residents to report any suspicious activity.

Chief Burica announced the next "Cone with a Cop" event is scheduled for Friday, June 23, from 2:00 P.M. to 3:00 P.M., at SweetFrog, 9645 Lincoln-Way Lane #109. He extended congratulations to the most recent graduates of the Citizen's Police Academy.

### **VILLAGE ADMINISTRATOR'S REPORT**

Asst. Administrator Piscia reported that red tags have been posted on the Abe Lincoln Motel by Will County Land Use and is currently not fit for occupancy due to issues with infrastructure. He noted the motel is outside the Village's municipal boundaries and there has been some preliminary discussion with the landowner to annex the property into the Village and redevelop the site. He provided an update on the Market Street West development, noting improvements on Route 45 are currently underway and entrance to the development is projected to be completed in the next few weeks.

### **VILLAGE ATTORNEY'S REPORT**

Village Attorney George Mahoney had no report.

### **OTHER BUSINESS**

Trustee Clavio extended congratulations to the Lincoln-Way East Boys' Volleyball Team on their 2<sup>nd</sup> place state finish. He welcomed Mayor Holland and Trustee Trevarthan back to the Village Board following their recent illness. He extended congratulations to Larry Nice, who was in the audience, on his recent graduation from the Citizen's Police Academy.

Trustee Trevarthan voiced his appreciation and complimented the Frankfort Police and Paramedics for their professionalism and quick response relating to his recent health concerns.

Trustee Stevens echoed Trustee Trevarthan's comments and stated that Frankfort is blessed to have so many dedicated public servants in our Police and Fire Departments.

Trustee Ogle extended congratulations to all the recent graduates. He commented on OPRT safety and forwarded a request from a resident for staff to clear vegetation growth along the trail particularly near Maple Street and Pfeiffer Road to improve site lines. He mentioned that the Will County Division of Transportation is holding an Open House Public Meeting concerning the Phase I Study for the proposed improvement of Laraway Road from Cedar Road to LaGrange Road on Tuesday, June 27, from 4:00 p.m. to 7:00 p.m. at the Hickory Creek Middle School.

**PUBLIC COMMENTS**

Resident Larry Nice commented on his participation in the Citizen's Police Academy, voicing his appreciation for the experience.

Marcus DeKeycer, head golf professional at Prestwick Country Club, announced that Prestwick is hosting a U.S. Women's Open Qualifier on Monday, June 12. The event is open to the public and is free to attend.

Frankfort Park District Commissioner Katie Rak announced the following upcoming events sponsored by the Park District: Party in the Park – Groovy 70's (June 12, 6:00 P.M. – 7:30 P.M.); Short Run on a Long Day 5K Run/Walk (June 21, 7:00 P.M.); Park District's 50<sup>th</sup> Anniversary Celebration (July 22, 4:00 P.M. – 9:00 P.M.); and the Splash Park is open for the season.

**ADJOURNMENT TO EXECUTIVE SESSION - PERSONNEL**

Trustee Trevarthan made the motion (#5), seconded by Trustee Ogle, to adjourn to Executive Session for the purpose of discussing personnel.

Deputy Clerk Cork called the roll. Ayes: Trustees Clavio, Heath, Kennedy, Ogle, Stevens, and Trevarthan. Nays: None. The motion carried.

The Village Board adjourned to Executive Session at 9:12 P.M.

The Village Board came out of Executive Session at 10:19 P.M. and resumed the regular board meeting.

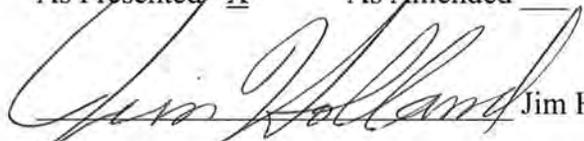
No action was taken as a result of Executive Session.

**ADJOURNMENT**

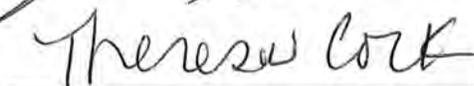
Upon return from Executive Session, Trustee Trevarthan made a motion (#6), seconded by Trustee Stevens, to adjourn the regular board meeting of Monday, June 5, 2017. A voice vote was taken. All were in favor. The motion carried. The meeting adjourned at 10:20 P.M.

Theresa Cork  
Village Deputy Clerk

As Presented  As Amended



Jim Holland, Village President



Theresa Cork, Village Deputy Clerk