

VILLAGE OF
FRANKFORT
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LAND USE AND POLICY COMMITTEE MINUTES
FEBRUARY 13, 2019

CALL TO ORDER

Chairman Pro-Tem Keith Ogle called the meeting of the Land Use and Policy Committee to order at 5:45 P.M. on Wednesday, February 13, 2019, at the Village Administration Building, 432 W. Nebraska Street, Frankfort, Illinois.

ROLL CALL

Land Use and Policy Committee members present included Mayor Jim Holland, Chairman Pro-Tem Keith Ogle, Trustees John Clavio, Cindy Heath, and Mike Stevens; Village Clerk Adam Borrelli, Stacy Bond, Michael DiMaggio, Paul Slade, and Marc Steinman. Staff in attendance included Village Administrator Rob Piscia, Asst. Administrator Jeff Cook, Deputy Police Chief Will Dowding, Supt. of Public Works Terry Kestel, Finance Director Jenni Booth, and Administrative Assistant Theresa Cork. Also present were Gina Hassett, Stacy Proper, Margaret Farina, and Jessica Petrow. Members Brian Samuels and Ilene LeRose were absent.

APPROVAL OF MINUTES (December 12, 2018)

Trustee Stevens made a motion (#1), seconded by Trustee Heath, to approve the Land Use and Policy Committee minutes of December 12, 2018, as presented. The motion was unanimously approved.

FRANKFORT PARK DISTRICT'S "SHORT RUN ON A LONG DAY" 5K RACE ROUTE – APPROVAL

Chairman Pro-Tem Ogle provided a brief recap of the Frankfort Park District's request for approval for the annual "Short Run on a Long Day" 5K Run/Walk race route scheduled to take place on Wednesday, June 19, 2019. Administrator Piscia reported the Park District and Chief Burica worked together to evaluate alternative routes to allow for the route to stay in the downtown area following the Village's request for the Park District to use the Village's existing certified route for the race due to traffic concerns. He further reported the new route no longer utilizes the intersection of Nebraska, Center and White Street. The route will be run in reverse of the prior route which will help to minimize the time that runners and walkers are in the high traffic areas. Old Plank Trail will continue to be utilized for a large portion of the race. Administrator Piscia further noted the Park District has agreed to pay all Village costs associated with this race.

Park District Executive Director, Gina Hassett, reported the Park District will continue to manage the duties associated with posting signs along the route and placing barricades and cones as

directed by the Police Department. Committee members expressed appreciation to the parties involved in finding a compromise.

Trustee Heath made a motion (#2), seconded by Trustee Stevens, to approve the race route for the Park District's "Short Run on a Long Day" 5K, as presented. The motion was unanimously approved.

Administrator Piscia noted the "Short Run on a Long Day" 5K is considered a legacy event and is grandfathered in for use of this alternative race route and is exempt from Village policy that all races utilize the existing Village approved certified route.

RECIPROCAL REPORTING SYSTEM INTERGOVERNMENTAL AGREEMENT:
HOMEWOOD FLOSSMOOR COMMUNITY SCHOOL DISTRICT 233 - APPROVAL

Deputy Chief Dowding presented a Reciprocal Reporting System Intergovernmental Agreement between the Village of Frankfort and Homewood Flossmoor Community School District 233 (HF) for committee consideration. He reported this agreement was initiated by Homewood Flossmoor and will allow for information sharing between the Frankfort Police Department and the Homewood Flossmoor School District when students may be in our jurisdiction due to activities at the Lincoln-Way East campus.

Committee members discussed the agreement and questioned what kind of information will be shared and the need for the agreement with a school outside our jurisdiction. Deputy Chief Dowding noted this agreement helps define and protect both parties with regard to information sharing between the school and the Village. He further noted Homewood Flossmoor is reaching out to all municipalities and local police departments in areas that their students may have contact with due to school activities in order to share information for the safety and well-being of the students and community residents. It was noted discussions are ongoing with Lincoln-Way School District 210 to consider adopting a similar agreement.

Mayor Holland made a motion (#3), seconded by Trustee Heath, to forward a recommendation to the Village Board to enter into the Reciprocal Reporting Intergovernmental Agreement between the Village of Frankfort and Homewood Flossmoor Community School District 233. The motion was unanimously approved.

CAFÉ LEASE AGREEMENTS – APPROVAL

- a. *Fat Rosie's Taco & Tequila Bar*
- b. *Francesca Fortunato Restaurant*
- c. *Trail's Edge Brewing Company*

Asst. Administrator Cook reported three restaurants on Kansas Street lease a portion of the Village right-of-way/sidewalk to operate outdoor seasonal cafés. He noted the prior three-year lease agreements expired December 31, 2018 and this committee recommended lease updates for the 2019-2021 term on October 10, 2018. He reported the principal updates include:

- 1) Rent increased from \$4 per square foot (SF) in 2018 to \$5 per SF in 2019, \$6 per SF in 2020, and \$7 per SF in 2021;
- 2) Expanded permissible use to include the months of March and November;
- 3) Requires Lessee to pressure wash the cafe surface at least once after October 31;
- 4) Lease does not prohibit use of the outdoor seating area between December 1 and March 1, however requires sign-off on a specific use plan if exercised.

Asst. Administrator Cook concluded by noting the rent increases and text updates were presented to the restaurateurs, who executed and returned the new lease agreements.

Following brief discussion, Mayor Holland made a motion (#4), seconded by Member Steinman, to forward a recommendation to the Village Board to execute the lease agreements as presented. The motion was unanimously approved.

VILLAGE'S CODE OF ORDINANCES: CHAPTER 31, SECTION 31.01 - AMENDMENT

Asst. Administrator Cook advised committee members Section 31.01 of the Village Code of Ordinances sets forth the schedule of regular meetings and the basis for special meetings of the Village Board. Updates to this section are proposed to provide consistency between the code, current practice, and the Illinois Open Meetings Act.

Trustee Stevens made a motion (#5), seconded by Trustee Heath, to forward a recommendation to the Village Board to amend Section 31.01 of the Village's Code of Ordinances as presented. The motion was unanimously approved.

ELECTRONIC PARTICIPATION ORDINANCE - APPROVAL

Administrator Piscia presented a draft ordinance establishing a policy which will allow members of the Village Board, who are not physically present at a meeting, the right to participate and vote through electronic means. He reported if a quorum of members of a public body is physically present at the meeting, a majority of the public body may allow a member of that body to attend the meeting by video or audio conference if the absent member is unable to physically attend for one of the following reasons: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. Currently, the law does not allow electronic participation if the missing member is on vacation.

Committee members discussed the provisions of the Open Meetings Act (OMA) pertaining to electronic participation in meetings and the use of various audio and video conferencing methods for remote participation. Committee and audience members shared some of their experiences with electronic conferencing and provided some suggestions to satisfy the requirements of the OMA and accommodate the municipality's needs for remote participation.

Following discussion, Trustee Heath made a motion (#6), seconded by Trustee Stevens, to forward a recommendation to the Village Board to amend Chapter 30 of the Village's Code of Ordinances to allow for electronic participation by members of the public body absent from a

Village Board meeting pursuant to the Illinois Open Meetings Act. The motion was unanimously approved.

SNOW ON STREETS ORDINANCE - APPROVAL

Administrator Piscia presented a draft ordinance establishing a policy which will prohibit the placing of snow or ice by any means from private property onto public ways. He reported the Village currently does not have a formal policy in place to prohibit residents, contractors, or businesses from placing snow and/or ice from private property onto public streets, alleys, and sidewalks.

Committee members discussed the proposed ordinance and some of the potential complications of identifying the party involved in placing the snow onto public ways. Administrator Piscia noted the proposed ordinance is not intended to penalize residents but rather provides a mechanism which will allow the Village the ability to enforce if there are significant infractions or routine offenders.

Following discussion, Trustee Heath made a motion (#7), seconded by Trustee Stevens, to forward a recommendation to the Village Board to amend Chapter 96 of the Village's Code of Ordinances to prohibit the placing of snow or ice by any means from private property onto public ways. The motion was unanimously approved.

SPONSORSHIP POLICY - DISCUSSION

Committee members discussed Village policy relating to the approval of public property and sponsorship requests. Currently, all public property applications and sponsorship requests go before the Community Services Committee for approval. Mayor Holland noted up until a few years ago it had been Village practice for staff to review and approve public property requests, providing it was not a new event or one which involved street closures, and he suggested to return to past practice. Sponsorship requests were also briefly discussed and it was noted sponsorships are part of the Mayor's budget which is approved by the Village Board during the budget review process.

Committee and audience members shared a few suggestions to simplify the review process and still provide transparency. It was suggested to establish criteria for what is considered routine in nature for public property requests and to ensure public space is not utilized as a venue promoting a for-profit business. The importance of applications being completed in their entirety before acceptance by staff was stressed and ways to improve that process were also discussed.

OTHER BUSINESS

Mayor Holland reported the Village Board recently passed an Ordinance designating the Village Board as ex officio members of each of the Village's advisory committees. He reported he was recently questioned why members of the Village Board are participating and voting on measures before the 1890's Theme Committee. Committee members discussed the role of the Historic Preservation Commission and its powers and duties set forth by the Historic Preservation

Ordinance. Many items reviewed by the 1890's Theme Committee do not come before the Village Board and concern was voiced of elected officials not participating in the review process, noting the 1890's Theme Committee is an advisory committee. In addition, it was suggested for staff to review the 1890's Theme Committee's jurisdiction and authority for Certificates of Appropriateness.

PUBLIC COMMENTS

No public comments were addressed to the committee.

ADJOURNMENT

Hearing no further business, Trustee Stevens made a motion (#8), seconded by Trustee Heath, to adjourn the Land Use and Policy Committee meeting of February 13, 2019, at 7:07 P.M. The motion was unanimously approved.