

**MEETING OF THE BOARD OF TRUSTEES REGULAR SESSION  
11004 Carpenter Street, Mokena, Illinois 60448**

Session #010

May 22, 2023

**CALL TO ORDER**

Mayor Fleischer called the regular session of the Board of Trustees to order at 7:01 p.m.

**PLEDGE OF ALLEGIANCE**

The Board of Trustees recited the Pledge of Allegiance.

**ROLL CALL/ESTABLISHMENT OF QUORUM**

Clerk Martini called the roll and the following Trustees were present:

Rob Dauphinais  
Debbie Engler  
Melissa Fedora  
Terry G. Germany  
George Metanias  
Terence Smith

Also present were the following: Village Clerk Melissa Martini; Village Administrator John Tomazoski; Assistant Village Administrator Greg Anderson; Finance Director Nathan Pasbrig; Village Attorney Carl Buck; Community and Economic Development Director Matt Ziska; Chief of Police Brian Benton; Director of Public Works Jim Kulesa; and Planning Technician Emily Cabay

**DISCOVER MOKENA**

June Graffy of Curtain Call Theatre announced the production of Funny Money on June 9 through 11 and June 16 through 18. Tickets can be ordered through the Curtain Call Theatre website at [www.ccctheatre.com](http://www.ccctheatre.com) or by calling the box office at (708) 607-2281. She also announced that registration is open for the 21<sup>st</sup> Annual Emily McCabe Summer Musical Theatre Program for children in Kindergarten through 8<sup>th</sup> grade which begins in June.

Mayor Fleischer, on behalf of himself and the Village Board, thanked Ms. Graffy for the work the theatre does and entertainment it brings to the town.

Clerk Martini presented the Community Calendar.

**PUBLIC COMMENTS**

Mr. Jim Schlegel expressed his unhappiness with the south end of the McGovney Street Metra lot being re-paved and believes it should look as nice as the Front Street side of the Metra lot. He commented that the handicapped parking at the lot is not easily accessible to the ramp. Mr. Schlegel volunteered himself and suggested other volunteers to come up with a plan to address handicapped parking to better aid disabled citizens.

**CONSENT AGENDA**

Village Administrator John Tomazoski presented nine (9) items on the Consent Agenda for Board approval. These items are strictly administrative in nature.

- a. Motion to conditionally approve the Our Fallen Hero Foundation in Memory of PFC Aaron Toppen's 10th Annual Our Fallen Hero 5K in memory of PFC Aaron Toppen Saturday, September 23, 2023, and to authorize the use of municipal/Village resources for event coordination, contingent upon staff's confirmation and approval of the applicant's final application materials.
- b. Motion to conditionally approve the Mokena Baseball/Softball Association's annual MBSA Parade on Sunday, June 4, 2023, utilizing the McGovney Street commuter parking lot and Mokena Street from McGovney Street to Mokena Main Park for the parade route, and to authorize the use of municipal/Village resources for event coordination, contingent upon staff's confirmation and approval of the applicant's final application materials.
- c. Move to adopt Ordinance No. 2023-O-010, an ordinance authorizing the disposal of surplus property owned by the Village of Mokena and to authorize the Village President and Village Clerk to execute the same.

- d. Motion to adopt Ordinance No. 2023-O-011, an ordinance authorizing the sale of one 2012 Ford F550 Duralift owned by the Village of Mokena with VIN# 1FDAF5GY6CEC98620 for the sum of \$32,394.00 to the Mokena Park District and to authorize the Village President and Village Clerk to execute the same.
- e. Motion to adopt Resolution No. 2023-R-005, a Resolution pertaining to the Maintenance of Streets and Highways by a Municipality under the Illinois Highway Code, and to authorize the Village President and the Village Clerk to execute same.
- f. Motion to adopt Ordinance No. 2023-O-012, an Ordinance pertaining to the classification and number of Liquor Licenses issued in the Village of Mokena; and to authorize the Village President and Village Clerk to execute same.
- g. Motion to approve Ordinance 2023-O-013 and Resolution 2023-R-006 authorizing the Second Amendment to the Oak Lawn Regional Water System Water Sale, Purchase and Service Agreement and to authorize the Village President and Village Clerk to execute all documents necessary to effectuate said amendment.
- h. Motion to approve a Code Enforcement Agreement for 11527 Bryn Mawr Way, Mokena, IL, and to authorize the Village President and Village Clerk to execute all documents necessary to effectuate said amendment.
- i. Motion to approve the minutes from the May 8, 2023 Board Meeting and Work Session.

Trustee Engler made a motion to approve Consent Agenda items 7 (a), (b), (c), (d), (e), (f), (g), (h), and (i) as depicted in the May 18, 2023 Request for Board Action prepared by the Village Administrator. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith

NAYS: (0)

Absent: (0)

Motion carried

#### **APPOINTMENTS/PROCLAMATIONS/PRESENTATIONS**

##### **Mokena Lions Club 70<sup>th</sup> Anniversary Proclamation**

A proclamation was read by Clerk Martini honoring the Mokena Lion's Club on their 70<sup>th</sup> Anniversary.

Mr. Isreal Smith, Marketing and Communications Director for the Mokena Lion's Club, thanked the Mayor and Village Board for their recognition. He announced that the Mokena Lion's Club will be hosting a 70<sup>th</sup> Anniversary Farm Party celebration on Saturday, June 17 from 3:00 p.m. to 10:30 p.m. at the Yunker Farm Bandshell.

Mayor Fleischer asked that his and the Village Board's thanks are extended to the full membership of the Mokena Lion's Club for everything they have contributed to the community over the past 70 years.

##### **National Gun Violence Awareness Day Proclamation**

Clerk Martini read a proclamation for Gun Violence Awareness Day.

Marilyn O'Rourke thanked the Mayor and Village Board and accepted the proclamation.

Mayor Fleischer thanked Ms. O'Rourke and members of Moms Demand Action for Gun Sense in America for bringing this important matter to the community's attention every year.

#### **PRE-SCHEDULED PROPOSALS / PRESENTATIONS AND VISITORS**

N/A

#### **PUBLIC HEARINGS**

##### **Willows of Mokena, Southwest Corner of Willow Lane/88<sup>th</sup> Avenue: Preliminary Plat and Rezone Annexation Approval**

Community and Economic Development Director Matt Ziska presented the following item:

# *Willows of Mokena* Final Annexation & Rezone Agreements

Village Board Final  
May 22, 2023

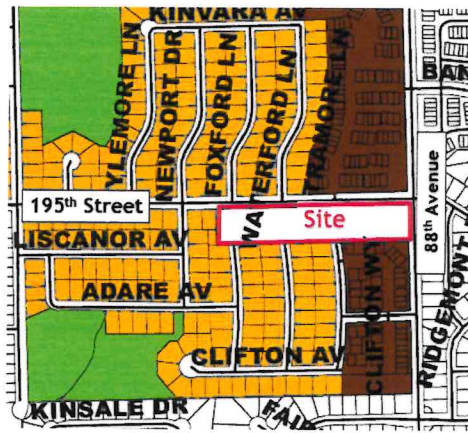


## Introduction:

John LaFlamboy, on behalf of Midwest Property Development, is seeking approval of the Annexation and Rezone Agreements and Preliminary Plat of Subdivision for the *Willows of Mokena* development at 19500 Willow Lane.

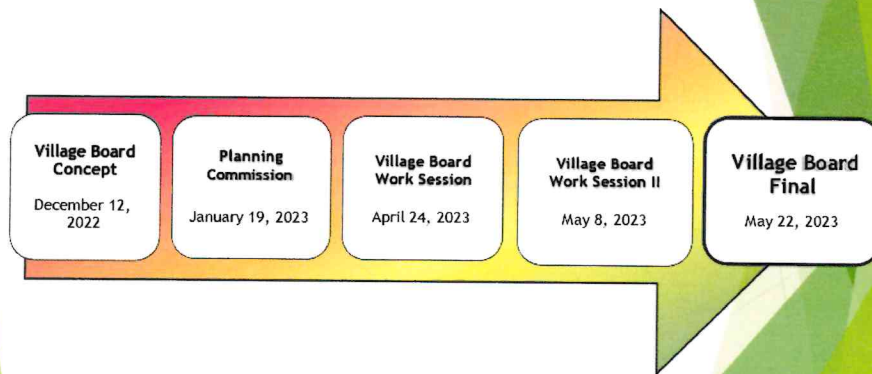


## Land Use & Zoning:



- E-1 ESTATE RESIDENCE DIST. (2 1/2 ACRES)
- R-1 SINGLE FAMILY RESIDENCE DIST. (40,000 SQ. FT.)
- R-2 SINGLE FAMILY RESIDENCE DIST. (20,000 SQ. FT.)
- R-3 SINGLE FAMILY RESIDENCE DIST. (15,000 SQ. FT.)
- R-4 SINGLE FAMILY RESIDENCE DIST. (12,500 SQ. FT.)
- R-5 SINGLE FAMILY RESIDENCE DIST. (7,500 SQ. FT.)
- R-6 MULTI-FAMILY RESIDENCE DISTRICT

## Background:



### Proposed Front Elevation:



- Full first-floor masonry
- Decorative stone accents
- Copper paneling above entryways
- Louvered screens in 2<sup>nd</sup> floor attic areas

Previous Front Elevation



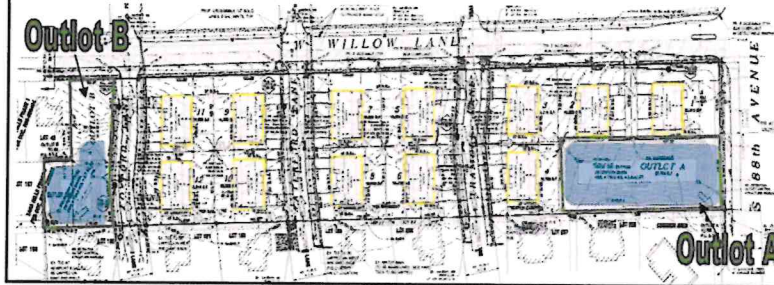
### Proposed Side & Rear Elevations:



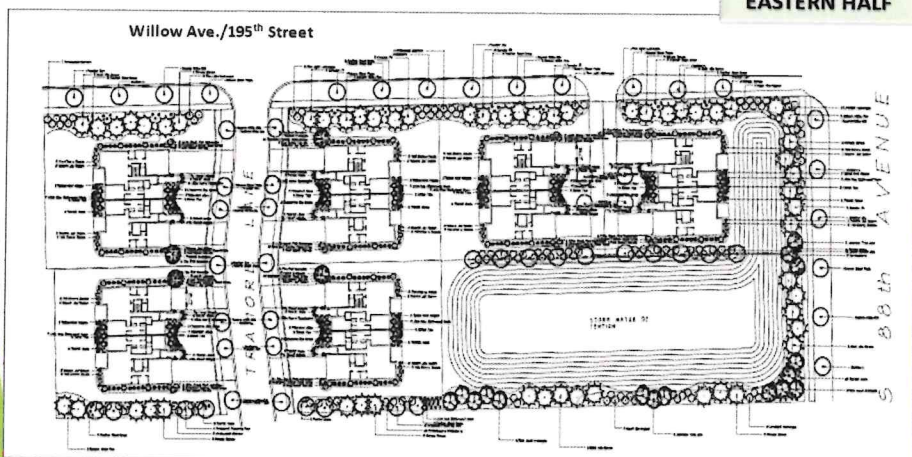
Photo of similar brickwork

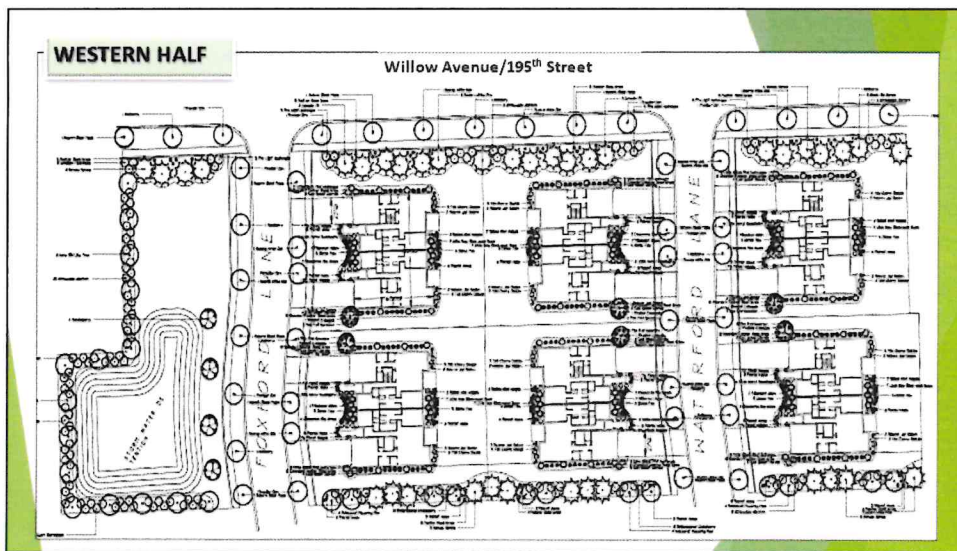
### Preliminary Plat of Subdivision:

REGULATION	R-6 STANDARD	PROPOSED
Density	7.5 Units/Acre	3.2 Units/Acre
Front yard setback	30 ft.	30 ft.
Rear yard setback	40 ft.	40 ft.
Side yard setback	15 ft.	15 ft.
Min. Lot Size	6,250 sq. ft.	16,563 sq. ft.



### Proposed Landscaping:





### Annexation Agreement:

- ▶ **Section 2** – Acknowledges that the Village will adopt an ordinance annexing the property and rezoning it to the R-6 multi-family zoning district.
- ▶ **Section 3** – Village agrees to approve a Final Plat of Subdivision substantially similar to the Preliminary Plat upon final engineering approval, payment of contribution fees and submittal of Letter of Credits.
- ▶ **Section 4** – Acknowledges that a Homeowner's Association will be formed to maintain common areas such as the stormwater detention facilities found on Outlots A and B.
- ▶ **Section 5** – States that all landscaping must be installed in accordance with the approved landscape plan, and that the landscape buffer along the south property line is required at time of first occupancy permit.
- ▶ **Section 7** – Sets minimum quality standards for the development, including requirements for 2-car garages, first floor brick masonry, and concrete driveways for all units.
- ▶ **Section 9a** – Village will issue two (2) Building Permits for models on Lots 1 and 2 after the mass grading, detention facilities, and main line storm water facilities are constructed.
- ▶ **Section 14** – Requires the Owner to annex this property into the Mokena Park District. The property is currently not served by any Park District.



## Village Board Action

1. MOVE TO AUTHORIZE THE EXECUTION OF AN ANNEXATION AGREEMENT BETWEEN THE VILLAGE OF MOKENA AND MIDWEST PROPERTY DEVELOPMENT, LLC.
2. MOVE TO ANNEX CERTAIN TERRITORY TO THE VILLAGE OF MOKENA.
3. MOVE TO APPROVE AND ACCEPT A PRELIMINARY PLAT FOR THE WILLOWS OF MOKENA DEVELOPMENT, DATED APRIL 27, 2023.
4. MOVE TO REZONE THE PROPERTY COMMONLY ADDRESSED 19500 S. 88<sup>TH</sup> AVENUE TO R-6, MULTI-FAMILY RESIDENTIAL.

Director of Community and Economic Development Ziska stated that John LaFlamboy, acting on behalf of Midwest Property Development, LLC., is seeking Village Board approval of an Annexation Agreement and Rezone Ordinance for “The Willows of Mokena” multi-family residential development, proposed on the 7.5-acre parcel located at 19500 S. 88th Avenue (southwest corner of Willow Lane and 88th Avenue). The proposed development will feature a total of 12 duplexes (24-units) and requires the petitioners to annex and rezone the subject parcel to R-6, multifamily residential.

Director of Community and Economic Development Ziska advised the petitioners are seeking to rezone the subject unincorporated Will County parcel to R-6, multifamily residential, which is compatible with the existing multi-family development found within the Tara Hills subdivision located to the north and south of the subject site. Based on the minimum development standards outlined in the Zoning Ordinance, the proposed subdivision will meet and/or exceed all of the minimum development requirements of the R-6 Zoning District.

Director of Community and Economic Development Ziska presented a background of the proposed development, reviewed the proposed Preliminary Plat of Subdivision as well as

the proposed landscape plan. He discussed notable sections from the proposed Annexation Agreement, including:

- **Section 2** – Acknowledges that the Village will adopt an ordinance annexing the property, rezoning it to the R-6 multi-family zoning district and approve the Preliminary Plat for the project.
- **Section 3** – The Village agrees to accept and approve a Final Plat of Subdivision substantially similar to the Preliminary Plat upon approval of the final engineering plans and Letters of Credit as required by Village codes.
- **Section 4** – Acknowledges that a Homeowner’s Association will be formed to maintain common areas such as the stormwater detention facilities found on Outlots A and B. The Village has the authority to step in and maintain the facility should the Homeowner’s Association fail to do so and lien properties, if necessary, for reimbursement.
- **Section 5** – States that all landscaping must be installed in accordance with the approved landscape plan, and the landscape buffer along the south property line shall be installed no later than the issuance of the first occupancy certificate within the development.
- **Section 7** – Sets minimum quality standards for the proposed development, including standards for 2-car garages, at least 2 bathrooms, first floor brick masonry, and *concrete driveways for all dwelling units*.
- **Section 9(a)** – Village agrees to issue two (2) Building Permits for models on Lots 1 and 2 after the mass grading, detention facilities, and main line storm water facilities are constructed.

Trustee Engler made a motion to open a public hearing to consider an annexation agreement between the Village of Mokena and Midwest Property Development, LLC., for the Willows of Mokena Development. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith

NAYS: (0)

Absent: (0)

Motion carried

Mayor Fleischer asked if the petitioner would like to add any comments.

The petitioner’s attorney, Mr. Richard Chisholm, stated the petitioners have worked with Village staff and reached an agreement on the proposed annexation agreement.

Mayor Fleischer asked if there were any public comments.

Mr. Jim Schlegel expressed his opposition to the development, stating that the Village should provide maintenance, or require the Homeowners Association to provide maintenance of the Outlots to Village standards.

Trustee Engler made a motion to close a public hearing regarding an annexation to consider an annexation agreement between the Village of Mokena and Midwest Property Development, LLC., for the Willows of Mokena Development. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith

NAYS: (0)

Absent: (0) Fedora

Motion carried

Trustee Engler made a motion to adopt Ordinance No. 2023-O-014 authorizing the execution of an annexation agreement between the Village of Mokena and Midwest Property Development, LLC., and to authorize the Village President and Village Clerk to execute same. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith  
NAYS: (0)  
Absent: (0)  
Motion carried

Trustee Engler made a motion to adopt Ordinance No. 2023-O-015, an ordinance annexing certain territory to the Village of Mokena, Will County, Illinois, and to authorize the Village President and Village Clerk to execute same. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith  
NAYS: (0)  
Absent: (0)  
Motion carried

Trustee Engler made a motion to approve and accept a Preliminary Plat for the Willows of Mokena Development, dated April 27, 2023. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith  
NAYS: (0)  
Absent: (0)  
Motion carried

Trustee Engler made a motion to adopt Ordinance No. 2023-O-016, an ordinance rezoning the property commonly addressed as 19500 S. 88<sup>th</sup> Avenue, to R-6, Multi-Family Residential; and to authorize the Village President and Village Clerk to execute same. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith  
NAYS: (0)  
Absent: (0)  
Motion carried

## **OLD BUSINESS**

### **Lot 10 Meridian Centre: Plat of Re-Subdivision**

Village Attorney Carl Buck presented this item.

Village Attorney Buck advised that Trinity Development, LLC (Developer) is requesting approval from the Village Board to re-subdivide Lot 10 in Meridian Centre into two separate parcels that are referred to as Lot 1 (0.89-acres) and Lot 2 (0.82-acres) on the proposed preliminary site plan. The Village Board last discussed this item at the work session meeting on May 15, 2023. The purpose of the discussion was to consider the Developer's request for the Village to approve the re-subdivision plat prior to final Site Plan and Architectural Review Committee and Board approval of the site. Typically, a plat of subdivision is approved as part of the Board's review and approval of the final property entitlement which in this case would be the Special Use Permit for a drive-through. Based on the Developer's request, the current status of the project, and the minimal risk to the Village, staff is recommending approval of the amended plat of re-subdivision prior to final project approval as requested by the Developer.

Village Attorney Buck reviewed the background of the development and further recommended the Board approve the amended plat of re-subdivision to allow the Developer to complete the sale of the Lot 10 prior to the subsequent owner receiving final approval. This does not prejudice the Village's position with respect to completing the final review and approval process for a Special Use Permit for a drive-through.

Trustee Engler made a motion to approve a plat of re-subdivision for Lot 10 in Meridian Centre and to authorize the Village President and Village Clerk to execute the same. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith  
NAYS: (0)  
Absent: (0)  
Motion carried

**Bid Authorization for Village Owned Street Light and Utility Pumping Electric Service Accounts**

Assistant Village Administrator Greg Anderson presented this item.

Assistant Village Administrator Anderson stated that since October of 2007, the Northern Illinois Municipal Electric Cooperative (NIMEC), has taken the Village's larger Street Lighting and Water & Sewer enterprise accounts to bid to help offset the higher costs the Village would receive from ComEd for the Village's electricity supply. The Village of Mokena joined NIMEC in 2006 and they have organized over 150 Municipalities, Libraries and Park Districts in the Chicago land area forming a buying cooperative and with the combined volumes, the Village is able to negotiate a lower price for its larger street lighting and utility pumping accounts. The primary uses of municipal power for these accounts are more attractive to the electricity suppliers due to the consumption dynamics. As such, they will offer lower prices than the general ComEd Auction rates because of the usage patterns of these accounts.

Assistant Village Administrator Anderson advised NIMEC will be holding this year's bid on June 6, 2023. Once the bids have been received by NIMEC, the Village will have a very short window of opportunity to sign the agreements with the power supplier that has the lowest bid as the bid prices may be guaranteed for as little as 24 hours (depending on the supplier). Staff will be working closely with NIMEC, as they have during the past bids, on this next bidding process.

Assistant Village Administrator Anderson reviewed the per kilowatt costs and savings for the utility pumping and street lighting accounts compared to ComEd's costs. He further recommended allowing NIMEC to negotiate and bid for the Village's electric supply in the cooperative and that the Board authorize the Village Administrator, or his authorized designee, to execute a contract with NIMEC's designated electric supplier that has the lowest bid, due to the short window in which the agreements must be executed.

Trustee Engler made a motion to authorize Northern Illinois Municipal Electric Cooperative (NIMEC) to entertain bids from electric suppliers on behalf of the Village of Mokena and to authorize the Village Administrator or his authorized designee, to accept same and execute all necessary documents on behalf of the Village. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith

NAYS: (0)

Absent: (0)

Motion carried

**NEW BUSINESS**

**Closed Session Minute Review**

Village Administrator John Tomasoski stated that the semi-annual review of closed session minutes must be held to determine if the need for confidentiality remains and, if so, such minutes shall not be approved or released to the public. At this time, it is recommended that the Board find that the need for confidentiality exists for all closed session minutes not previously approved.

Trustee Engler made a motion to find that the necessity for confidentiality remains for all remaining closed session minutes not previously approved pursuant to 5 ILCS 120/2.06(d). Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith

NAYS: (0)

Absent: (0)

Motion carried

**VILLAGE ADMINISTRATOR'S COMMENTS**

Village Administrator John Tomasoski presented information regarding Illinois Treasurer Michael W. Frerichs ICash program. He invited residents to attend the Illinois Treasurer Michael W. Frerichs' I-Cash event at the Village Hall on May 25, 2023, from 9:00 a.m. to 3:00 p.m.



### **TRUSTEES' COMMENTS**

Trustee Engler congratulated the 2023 local graduating classes and wished them the best in their future endeavors. She asked motorists to be cautious now that children are outside enjoying the nice weather.

Trustee Dauphinais stated he is looking forward to the Hometown Heroes Banner Program Dedication Ceremony on Friday, May 25, 2023 at 10:00 a.m. on Front Street and invited the public to attend.

Trustee Germany passed on the opportunity to make comments.

Trustee Smith passed on the opportunity to make comments.

Trustee Fedora highlighted local business Curtain Call Theatre and encouraged residents to purchase tickets and enjoy one of their many great live performances. She invited residents to attend the Hometown Heroes Banner Program Dedication Ceremony on Friday, May 25, 2023 at 10:00 a.m. on Front Street. Trustee Fedora thanked the Mokena Lion's Club for hosting their 70<sup>th</sup> Anniversary event on June 17, 2023 at Yunker Farm. She congratulated all 2023 graduates and discussed the adjustments they had to make while navigating school through the COVID-19 pandemic.

Trustee Metanias congratulated Trustee Engler on a successful Food Trucks on Front event and invited everyone to attend and support future Food Trucks on Front events.

### **CLERK'S COMMENTS**

Clerk Martini passed on the opportunity to make comments.

### **MAYOR'S COMMENTS**

Mayor Fleischer congratulated the Mokena Lion's Club on their 70<sup>th</sup> Anniversary. He asked residents to please slow down and drive cautiously. He asked residents to be diligent and look out for the safety of others in the community.

### **RECESS OF REGULAR MEETING**

Trustee Engler made a motion to call a recess of the regular meeting session subject to recall of the Mayor and enter into the scheduled work session at 7:49 p.m. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith

NAYS: (0)

Absent: (0)

Motion carried

### **RECALL REGULAR MEETING**

Trustee Engler made a motion to recall the regular meeting back to order at 8:04 p.m. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith

NAYS: (0)

Absent: (0)

Motion carried

### **EXECUTIVE SESSION**

Trustee Engler made a motion to enter executive session at 8:04 p.m. to discuss litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting pursuant to 5 ILCS 120/2(c)(11). Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith

NAYS: (0)

Absent: (0)

Motion carried

**RECONVENE BOARD MEETING**

Trustee Engler made a motion to adjourn the executive session and reconvene the regular meeting at 8:31 p.m. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith  
NAYS: (0)  
Absent: (0)  
Motion carried

**ADJOURNMENT**


Trustee Engler made a motion to adjourn the regular session at 8:32 p.m. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith  
NAYS: (0)  
Absent: (0)  
Motion carried

Respectfully submitted,

  
\_\_\_\_\_  
Frank A. Fleischer, Village President

ATTEST:

  
\_\_\_\_\_  
Melissa Martini, Village Clerk