

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

Session #022

November 13, 2023

CALL TO ORDER

Mayor Fleischer called the regular session of the Board of Trustees to order at 6:30 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 J. Metanias
Terence Smith

Also present were the following: Village Clerk Melissa Martini; Village Administrator John Tomasoski; Finance Director Nathan Pasbrig; Assistant Village Administrator/Acting Community Development Director Greg Anderson; Village Attorney/Human Resources Director Carl Buck; Chief of Police Brian Benton; Director of Public Works Jim Kulesa; and Assistant Public Works Director Dan Peloquin

EXECUTIVE SESSION

Trustee Engler made a motion to enter executive session at 6:32 p.m. to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity pursuant to 5 ILCS 120/2(c)(1) and 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 REGULAR SESSION

Trustee Engler made a motion to adjourn the executive session and reconvene the regular meeting at 7:04 p.m. Trustee Metanias seconded.

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

NAYS: (0)

Absent: (0)

Motion carried

Mayor Fleischer advised the public that the night's meeting began with an executive session.

DISCOVER MOKENA

Clerk Martini presented the Community Calendar.

Mr. Ken Czechanski of Curtain Call Theatre presented information for the theatre's upcoming performances of Crimes of the Heart on December 1-3, 2023 and December 8-10, 2023. Tickets can be purchased through their website at www.ccctheatre.com or by contacting the box office at (708) 269-0127. Mr. Czechanski announced Curtain Call Theatre's 2024 Emily McCabe Musical Theatre Program is now open for registration.

Sarah Zayyad from RUSH Physical Therapy, located at 11245 W. Lincoln Highway, presented information regarding services the business provides. She further announced the RUSH Physical Therapy's Grand Opening scheduled for November 30, 2023.

PUBLIC COMMENTS

Mr. Jim Schlegel highlighted the William Martin VFW Post 725's annual Veteran's Day Memorial Ceremony. He encouraged residents to eat at the VFW.

Mayor Fleischer agreed with Mr. Schlegel's comments and stated he, Trustee Engler, Trustee Fedora and Village Administrator John Tomasoski were able to attend this year's event. He complimented Commander Hogan and the VFW for always offering a great Veteran's Day memorial service for the Village.

CONSENT AGENDA

Village Administrator John Tomasoski presented five (5) items on the Consent Agenda for Board approval. These items are strictly administrative in nature.

- a. Motion to approve a settlement agreement with Mokena Police Sergeant Gregory Selin in case number 21 CV 426 in the amount of \$13,930 and to authorize the Village President and Village Clerk to execute the same.
- b. Motion to approve a settlement agreement with Mokena Police Sergeant Robert Williford in case number 21 CV 426 in the amount of \$126,610 and to authorize the Village President and Village Clerk to execute the same.
- c. Motion to approve a settlement agreement with Mokena Police Sergeant Joseph Ballantine in case number 21 CV 426 in the amount of \$110,000 and to authorize the Village President and Village Clerk to execute the same.
- d. Motion to approve the minutes from the October 16, 2023 Work Session.
- e. Motion to approve the minutes from the October 23, 2023 Board Meeting and Work Session.

Trustee Engler made a motion to approve Consent Agenda items 7 (a), (b), (c), (d) and (e) as depicted in the November 9, 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

FINANCE REPORT/ACCOUNTS PAYABLE

Finance Director Nathan Pasbrig presented the accounts payable list for November totaling \$3,267,482.77. He highlighted the following invoice to be paid:

- \$132,338.00 to Alta Construction for a Backhoe

Trustee Engler made a motion to approve the monthly accounts payable in the amount of \$3,267,482.77. Trustee Metanias seconded.

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

NAYS: (0)

Absent: (0)

Motion carried

APPOINTMENTS/PROCLAMATIONS/PRESENTATIONS

Appointment of Matt Cullen to Forester/Arborist Position

Director of Public Works Jim Kulesa informed the Board that in furtherance of the Village's urban forestry efforts, a Forester / Arborist position was included in the current Local 150 Collective Bargaining Agreement. The position plays a significant role in Mokena's urban forestry advisory panel as well as applying specialized skills to the day-to-day tree care activities. A portion of the duties for this position will also be supporting snow removal and maintenance activities when seasonally applicable. He stated the Village advertised this open position internally and one current employee expressed their interest. Following that interview, it was determined Mr. Matt Cullen was the most qualified to fill the Forester / Arborist position.

Director of Public Works Kulesa reviewed Mr. Cullen's work experience with the Village. He stated that Staff is recommending the Board's approval of the appointment of Mr. Cullen to the position of Forester / Arborist in the Streets and Grounds Division of the Public Works Department effective upon back filling of his current position of Automotive Mechanic. Due to the mechanic's support role during snow removal activities, Mr. Cullen will continue in that role until the mechanic's duties are filled and the Staff designates a start date for the position.

Director of Public Works Kulesa stated that should the Board concur in appointing Mr. Cullen to the Forester/Arborist position, the appointment would constitute a lateral move at his current salary. To accomplish this, a Memorandum of Understanding is proposed between the Village and Local 150 to address this salary issue. Mr. Cullen will not be eligible for any further step increases in salary under the current Local 150 Collective Bargaining Agreement. The salary percentage increases provided for in that Agreement will apply for Mr. Cullen moving forward.

Trustee Engler made a motion to to approve the appointment of Matt Cullen to the position of Forester/Arborist in the Streets and Grounds Division of the Public Works Department at his existing salary for that position in the Collective Bargaining Agreement between the Village of Mokena and the International Union of Operating Engineers, Local 150, Public Employees Division, July 1, 2022-June 30, 2026, executed September 25, 2023 effective at date designated by the Village Administrator. Trustee Metanias seconded.

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

NAYS: (0)

Absent: (0)

Motion carried

Trustee Engler made a motion to authorize the execution of a Memorandum of Understanding regarding the appointment of Matt Cullen to the position of Forester/Arborist in the Streets and Grounds Division of the Public Works Department at his existing salary of \$94,186.00 for that position in the Collective Bargaining Agreement between the Village of Mokena and the International Union of Operating Engineers, Local 150, Public Employees Division, July 1, 2022-June 30, 2026, executed September, 25, 2023, effective on approval 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

Appointment of David Blommaert to Assistant Mechanic Position

Director of Public Works Kulesa stated that in order to address the Village's needs for additional auto maintenance manhours and to allow efficient shifting in duties to deal with workflows, an Assistant Mechanic position was created through the Local 150 collective bargaining process. The position will aid the mechanic in addressing more routine scheduled maintenance of vehicles, while allowing a shift to Maintenance 1 general duties when needs warrant. The position is also intended to perform front line snow removal duties and provide a backup to the Mechanic if needs require during snow events. He advised that the Village advertised this open position internally, and two current employees expressed their interest. Following interviews, it was determined Mr. David Blommaert was qualified and best suited to fill the Assistant Mechanic position.

Director of Public Works Kulesa reviewed Mr. Blommaert's previous employment experience and further recommended the appointment of Mr. Blommaert to the position of Assistant Mechanic in the Streets and Grounds Division of the Public Works Department.

Trustee Engler made a motion to approve the appointment of David Blommaert to the position of Assistant Mechanic in the Streets and Grounds Division of the Public Works Department at the Step 1 salary for that position in the Collective Bargaining Agreement between the Village of Mokena and the International Union of Operating Engineers,

Local 150, Public Employees Division, July 1, 2022-June 30, 2026, executed September 25, 2023, effective November 20, 2023. Trustee Metanias seconded.

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

Mr. Matt Cullen thanked the Village Board for the opportunity.

Mr. Dave Blommaert thanked the Village Board for the opportunity.

PRE-SCHEDULED PROPOSALS / PRESENTATIONS AND VISITORS

Finance Director Nathan Pasbrig presented the Fiscal 2023 audit. He introduced Monika Adamski from auditing firm Lauterbach & Amen LLP, who performed the Fiscal 2023 audit for the Village.

Ms. Adamski provided a review of Lauterbach & Amen LLP's audit report of the Village of Mokena, noting that the Village received a clean, unmodified opinion, which is the highest opinion on a financial statement one can have. She highlighted the General Fund indicating it generated a surplus of \$6.3M of which \$4.9M was transferred to the capital improvement fund. The Motor Fuel Tax Fund generated a surplus of \$880k. The Capital Improvement Fund had a deficit of \$4.2M due to capital outlay of \$8.1M primarily related to the construction of the new police station. She further stated that all Village funds have healthy balances as of June 30, 2023.

Mayor Fleischer asked the Board if there were any questions or comments.

Trustee Engler thanked Finance Director Nathan Pasbrig and auditing firm Lauterbach & Amen LLP for their hard work.

Trustee Engler made a motion to accept the 2023 Audit for the Fiscal Year ended June 30, 2023, as prepared by the auditing firm of Lauterbach & Amen, LLP. Trustee Metanias seconded.

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

PUBLIC HEARINGS N/A

OLD BUSINESS

11116 Front Street

Assistant Village Administrator/Acting Community Development Director Greg Anderson presented the following item:



Request

Applicant
Gino Picciola

Location
11116 Front Street

Zoning
C-4, Traditional Downtown District

Request
Seeking Special Use Permit
Approval for a Planned Unit
Development along with various
site improvements



Development Review Background

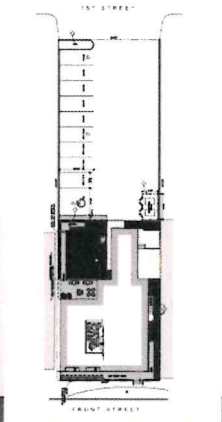
2022 Meetings	2023 Meetings
Village Board Concept Review February 21, 2022	Economic Development Committee April 27, 2023 May 8, 2023
Planning Commission May 20, 2022	Village Board Work Session October 16, 2023 October 23, 2023
SPARC July 6, 2022	

Site Improvements

- Repurpose the existing first floor restaurant
- Construct two new outdoor dining areas
- Construct an ADA compliant entrance ramp
- Fully renovate the existing residential area found on the 2^d floor



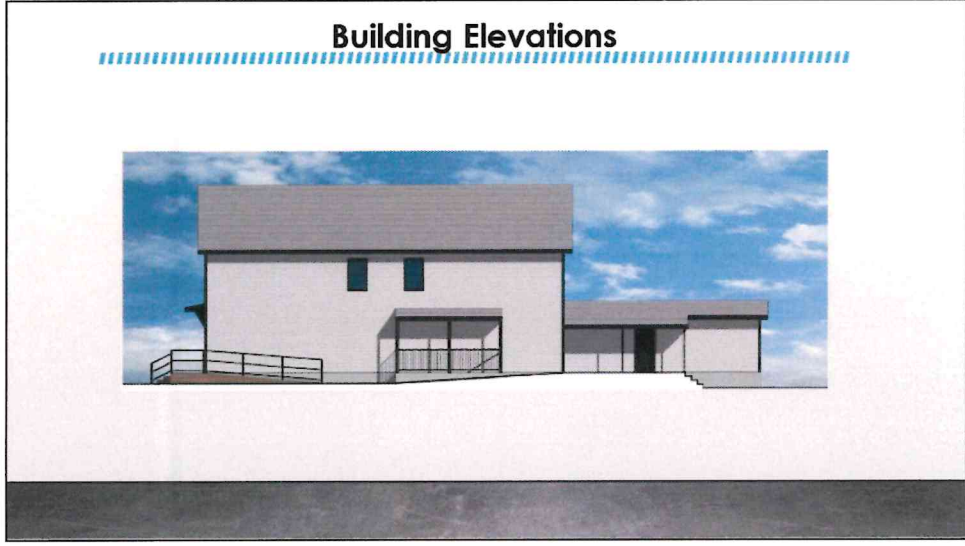
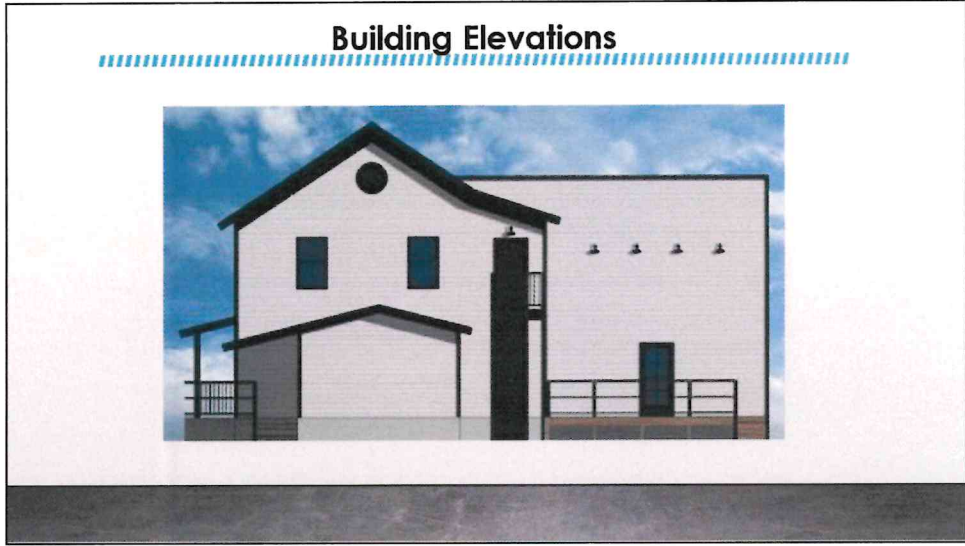
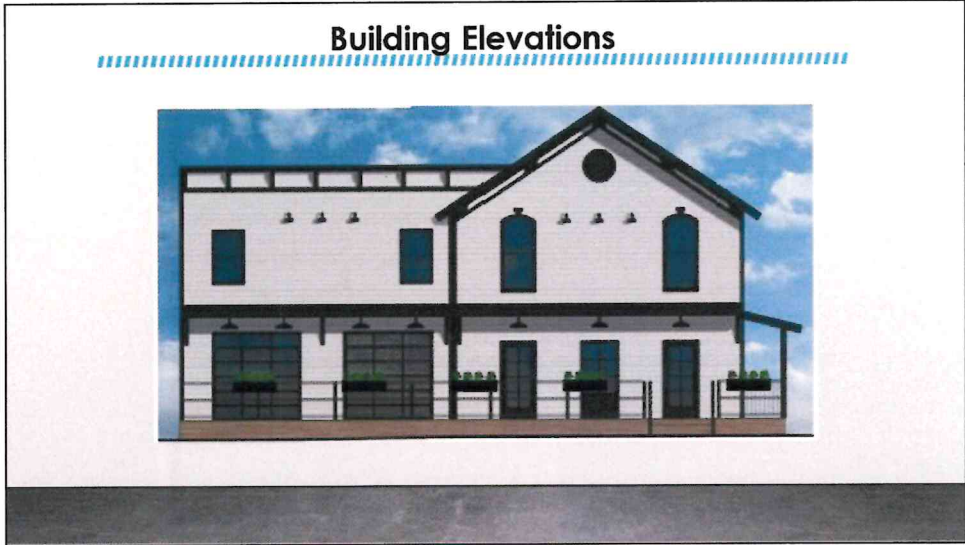
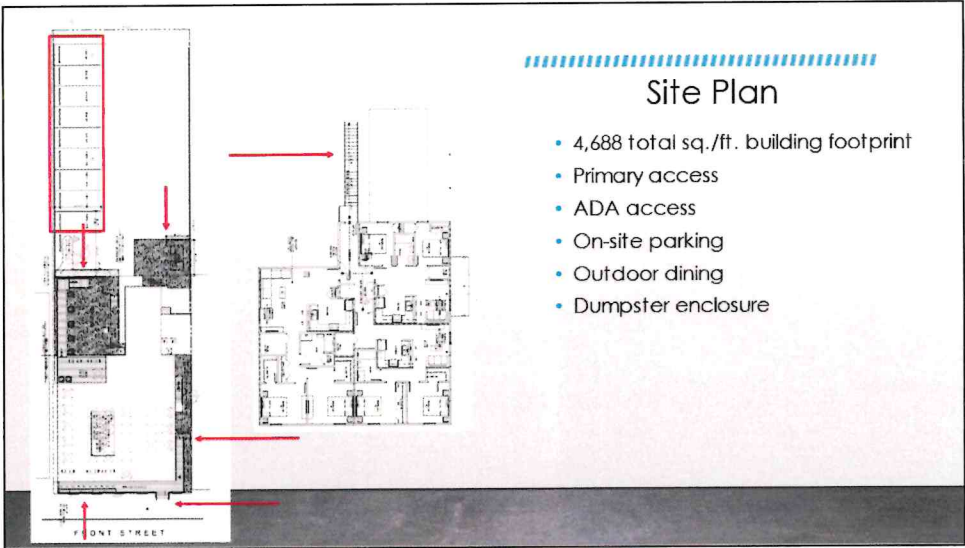
Parking & Stacking Spaces

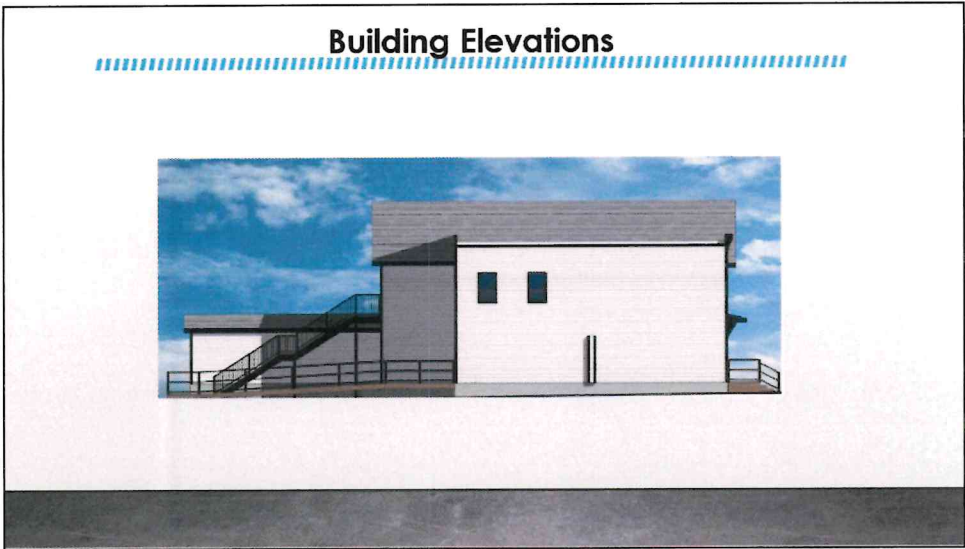


Proposed Use	Zoning Code	Parking Ratio	Parking Required	Parking Provided
Restaurant	1 space / 1 sq./ft. over 2,500 sq./ft.	2,887 sq./ft.	4 spaces	9 spaces total
Dwellings	1.5 / Dwelling Unit	3 Dwelling Units	5 spaces	9 spaces total

Public parking is available for this location:

- Front Street – 29 marked spaces
- Front Street Metra Lot – 37 marked spaces





Special Use Provisions

- No truck deliveries between 8:00 pm and 8:00 am on First Street
- Outdoor dining
- Class E Restaurant Liquor License
- Village shall permit encroachment upon the right of way sidewalk for the purpose of the ADA accessible ramp upon the execution of a hold harmless agreement

Estimated TIF Eligible Cost Reimbursement Summary

a. Environmental Fees	\$7,700
b. Architectural Fees	\$36,000
c. Interior and exterior demo	\$35,000
d. Structural repair and framing	\$150,000
e. New Roof	\$33,965
f. Windows, doors, garage doors	\$60,000
g. HVAC	\$33,066
h. Plumbing	\$56,500
i. Electrical	\$143,840
j. Water service	\$37,500

The Village's total, cumulative reimbursement of TIF Eligible Project Costs to the Developer shall not exceed \$593,571.00, as set forth in this Redevelopment Agreement. Individual estimated amounts may be reallocated by the Developer, provided the cumulative reimbursement hereunder does not exceed \$593,571.00.

The Village will reimburse the Developer in full for item h- Plumbing in the amount up to \$56,500 and item j- Water service in the amount of \$37,500 upon submission of Request for Reimbursement, Exhibit 2, showing that said work as been performed and paid for with lien waivers.

Assistant Village Administrator/Acting Community Development Director Anderson stated that Developer, Gino Picciola, on behalf of Titan Property Holdings, LLC, is seeking approval of a Special Use Permit (S.U.P.) for a Planned Unit Development (P.U.D.) request for the property located at 11116 Front Street. Under the proposed request., the petitioner is seeking to fully renovate the first and second floors of the existing 4,688 sq./ft. mixed-use building and perform a variety of site improvements, such as constructing an ADA-compliant entrance ramp, and two outdoor dining areas. Within the Special Use Permit, the petitioner is also seeking relief from the Front Street right-of-way encroachments and outdoor dining with alcohol sales.

Assistant Village Administrator/Acting Community Development Director Anderson provided a development review and history of the subject property located in Mokena's Downtown District and TIF District. He reviewed the proposed exterior and interior improvements, on-site and off-site parking, proposed façade upgrades, and building elevations of the subject property. He discussed notable provisions of the proposed Special Use Permit including no truck deliveries between 8:00 p.m. and 8:00 a.m. on First Street, outdoor dining, a Class E restaurant liquor license, and that the Village shall

permit encroachment upon the right-of-way sidewalk for the purpose of the ADA-accessible ramp upon the execution of a hold harmless agreement.

Village Attorney/Human Resources Director Carl Buck discussed the proposed Tax Increment Financing (TIF) District Redevelopment Agreement and provided a financial overview of the total reimbursement entitlement for the proposed project.

Mr. Gino Picciola, the Developer, appeared and provided no additional comments to Village staff's presentation.

Trustee Enlger made a motion to adopt Ordinance No. 2023-O-035, an ordinance granting a Special Use Permit for a Planned Unit Development for the property located at 11116 Front Street, 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

Trustee Enlger made a motion to adopt Ordinance No. 2023-O-036, an ordinance approving and authorizing the execution of a TIF Redevelopment Agreement by and between the Village of Mokena and Titan Property Holdings, LLC, involving the property located at 11116 Front Street, 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

189th Street License Agreement

Village Attorney/Human Resources Director Carl Buck presented the following item:



Village Attorney/Human Resources Director Buck stated that at its October 23, 2023 work session meeting, the Board considered the request of property owner VM Land, LLC (Owner), through counsel Nathan Washburn, to enter into a License Agreement that would permit temporary usage of 189th Street by P.T. Ferro to conduct fill operations. That request followed the Board's consideration of the annexation petition filed for property owner, VM Land, LLC, by Mr. Matt Marketti, to annex and rezone the unincorporated property located at 189th Street and U.S. Route 45, Mokena, IL 60448 which is approximately ±31.50 acres. The purpose of the License Agreement is to permit usage of 189th Street subject to final annexation approval by the Village. At that time, the consensus of the Board was to support the Owner's request and directed Village staff to prepare the appropriate License Agreement.

Village Attorney/Human Resources Director Carl Buck reviewed the proposed License Agreement which includes the following conditions:

- The temporary roadway be constructed as approved by Village staff.
- A gate be installed at the north end of Carly Drive to prevent public access.
- The roadway from 191st Street to the temporary road be cleaned weekly by P.T. Ferro.
- The hours be limited to 7:00 a.m. to 5:00 p.m. Monday through Friday.
- Notice to neighboring businesses in the Mokena Crossings development to be provided by P.T. Ferro prior to construction.
- The maximum inbound truck traffic to the site on a single day be limited to 40 trucks (80 trips total in / out).
- The pre-annexation use of the roadway terminates in 180 days.
- The Owner agrees to indemnify the Village for any claims arising out of construction or use of the temporary roadway.

Attorney Nate Washburn appeared for VM Land, LLC and did not provide any further comments to Village staff's presentation.

Trustee Engler made a motion to Motion to approve a License Agreement between the Village of Mokena and VM Land, LLC for the temporary use of 189th Street and to authorize the Village President to execute the same. Trustee Metanias seconded.

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

NAYS: (0)

Absent: (0)

Motion carried

NEW BUSINESS

N/A

VILLAGE ADMINISTRATOR'S COMMENTS

Assistant Village Administrator/Acting Community Development Director Greg Anderson presented a business spotlight, highlighting local businesses with holiday card and photo printing services.

Chief of Police Brian Benton presented the Mokena Police Department's new patch design.

Village Administrator John Tomaszoski encouraged residents to participate in Will County's alternative fuels survey to evaluate future infrastructure needs for electric vehicles and other alternative fuel vehicles. He thanked Mokena Cub Scout Den #1 and Den #5 for recently visiting the Village Hall to discuss local government services. Village Administrator Tomaszoski thanked Commander Hogan and highlighted the William Martin VFW Post 725's Veteran's Day Ceremony. He thanked Mr. Tim Franson for his assistance in filming various events throughout the Village.

TRUSTEES' COMMENTS

Trustee Smith passed on the opportunity to make comments.

Trustee Fedora stated she looks forward to seeing everyone at the Chamber of Commerce's Parade of Lights and Village Tree Lighting Ceremony on Saturday, November 18.

Trustee Metanias congratulated Matt Cullen on his appointment to the Arborist/Forester position and David Blommaert to the Assistant Mechanic position and stated he appreciated seeing the support from Mr. Jamie Smith and the Public Works Department. He stated he looks forward to seeing everyone at the Chamber of Commerce's Parade of Lights and Village Tree Lighting Ceremony on Saturday, November 18.

Trustee Engler thanked Commander Hogan and highlighted the William Martin VFW Post 725's Veteran's Day Ceremony. She stated that this year's Parade of Lights has the largest number of entries yet and looks forward to seeing everyone there.

Trustee Dauphinais highlighted the Village's strong financial position and thanked Finance Director Nathan Pasbrig, Village Board and Village staff for all their hard work. He congratulated Mr. Gino Picciola on moving forward with the development at 11116 Front Street. Trustee Dauphinais congratulated Chief Benton and everyone involved with

the creation of the new Mokena Police Department patch design. He wished all residents a Happy Thanksgiving.

Trustee Germany passed on the opportunity to make comments.

CLERK'S COMMENTS

Clerk Martini passed on the opportunity to make comments.

MAYOR'S COMMENTS

Mayor Fleischer recommended everyone enjoy a nice meal at the William Martin VFW Post 725 and discussed how the purchase supports the local VFW and its veterans. He wished everyone a Happy Thanksgiving.

ADJOURNMENT

Trustee Engler made a motion to adjourn the regular session and enter into the scheduled work session at 7:59 p.m. Trustee Metanias seconded.

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

NAYS: (0)

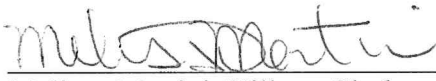
Absent: (0)

Motion carried

Respectfully submitted,


Frank A. Fleischer, Village President

ATTEST:


Melissa Martini, Village Clerk