

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

Session #010

May 28, 2019

**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 and members of the audience recited the Pledge of Allegiance.

**ROLL CALL/ESTABLISHMENT OF QUORUM**

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

Joseph E. Budzyn  
Debbie Engler  
Jillian Hersted  
George Metanias  
Joe Siwinski

Absent: Trustee Jim Richmond

Also present were: Clerk Melissa Martini; Village Administrator John Tomasoski; Finance Director Barb Damron; Commander Chris Carlson; Community/Economic Development Director Alan Zordan; Assistant Village Administrator Kirk Zoellner; Building and Planning Director Matt Ziska, Civil Engineer Dan Peloquin; Public Works Director Lou Tiberi; and Village Attorney Carl Buck.

**DISCOVER MOKENA**

June Graffy presented information on Curtain Call Theatre's upcoming production of "Assassins" and their Summer Stock production of "Working: A Musical."

**COMMUNITY CALENDAR**

Clerk Martini presented the Community Calendar.

**PUBLIC COMMENT**

Resident Jim Schlegel commented on the Forest Preserve District of Will County's Food Truck Friday at the Hickory Creek Preserve off LaPorte Road on June 14. He also commented on how well he thinks the Neighborhood Watch initiative is going, and on the importance of Memorial Day.

**CONSENT AGENDA**

Village Administrator John Tomasoski presented six (6) items on the Consent Agenda for Board approval. These items are strictly administrative in nature.

- a. Motion to adopt Resolution No. 2019-R-006, 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.
- b. Motion to adopt Ordinance No. 2019-O-018, 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.
- c. Motion to authorize an agreement with Melrose Pyrotechnics, Inc. of Kingsbury, Indiana, for a Public Fireworks Display on the evening of Thursday, July 4, 2019. Motion to authorize the issuance of a Public Fireworks Display Permit to Melrose Pyrotechnics, Inc. of Kingsbury, Indiana, for the evening of Thursday, July 4, 2019, based on Melrose's conformance with requirements of the Village of Mokena's Explosive and Fireworks Ordinance.
- d. Motion to approve and authorize the use of municipal/Village resources for the Mokena Community Park District's 15<sup>th</sup> Annual Farm & Barn Fest scheduled for Saturday, August 10, 2019 at Yunker Farm.
- e. Motion to approve minutes from the May 6, 2019 Work Session.
- f. Motion to approve Minutes from the May 13, 2019 Board Meeting and Work Session.

Trustee Engler made a motion to approve Consent Agenda Items 6 (a), (b), (c), (d), (e) and (f) as depicted in the May 23, 2019 Request for Board Action prepared by the Village Administrator. Trustee Siwinski seconded.

AYES: (5) Budzyn, Engler, Hersted, Metanias, Siwinski

NAYS: (0)

Absent: (1) Richmond

Motion carried

APPOINTMENTS/PROCLAMATIONS/PRESENTATIONS

N/A

PRE-SCHEDULED PROPOSALS/PRESENTATIONS AND VISITORS

Mokena Public School District 159 Superintendent Don White presented the PowerPoint presentation listed below on the District's Galaxy Awards Program. This program acknowledges the outstanding accomplishments and/or contributions by school staff, students, parents, community members and community organizations.



**MOKENA SCHOOL DISTRICT 159  
2019 GALAXY AWARD**

*CELEBRATING DISTRICT 159 EMPLOYEES,  
STUDENTS, FAMILIES, & COMMUNITY MEMBERS*

**Mokena Village Board Meeting  
May 28, 2019**

**Galaxy Award Overview**

- Recognize the **above and beyond accomplishment and contributions** of District 159 employees, students, parents, community members, and community organizations
- So impactful that it changed the life of a student, employee, family, or the community at large in a **positive and deeply meaningful way**
- Partnership** with District 159, Mokena Educational Foundation, and Mokena Parent-Teacher Organization
- 27 Nominees** in first year
- Up to **five selected** each year
- Winners receive **\$100 gift card** to use at their discretion, **surprise presentation, reception and recognition by Board of Education**



**2019 Galaxy Award Winner: Monica Swift**  
(Nominated by Tracy Tervin)

- Mokena School District 159 Employee
- Dedicated her life to helping others, as well as, raising a beautiful, productive family including three children
- A great inspiration for so many
- She and her husband have created the Non-profit organization called SOAR. (Swift Outdoor Accessible Recreation)
- SOAR's goal is to provide not only outdoor accessible equipment and activities, but also the resources for people to improve the quality of their life through fellowship

<http://soarprofit.com/>



**S.O.A.R.**  
SWIFT OUTDOOR ACCESSIBLE RECREATION

**2019 Galaxy Award Winner: Mokena Matters**  
(Nominated by Jaime Staley)

- Includes Jill Tridgell, Kris Okoskey, Kelly Lapetino, Julie Oost, Cara Bencic, Mary Louise Knoerzer, Greg Mullin and Sarah Ziesmer.
- Had the difficult task of educating the entire Mokena community about the current state of the school buildings and why it is so important to pass the referendum.
- Worked tirelessly on their own time to create marketing materials – buttons, flyers, signs, a website, a Facebook page, in order to communicate the importance of these measures and provide facts.
- Hosted events, walked the community, shared information to anyone who would listen.
- Truly dedicated to this effort and care deeply about the community and the schools within.
- As their motto goes – Strong Schools. Strong Community.



**2019 Galaxy Award Winner: Evan Dizon**  
(Nominated by his mother, Mrs. Cheryl Dizon)

- Kindergarten student in Mokena School District 159
- Hosted a lemonade stand with his little sister, Ella to support Cancer Kiss My Cooley (CKMC)
- Raised nearly \$1000 to help fight cancer; in just 3 hours!
- The mission of CKMC is to create special moments and lasting memories for families living with pediatric brain tumors through the Kiss of HOPE program
- Inspired to help do their part in the fight against childhood cancer when a family friend, who sits on the CKMC Board of Directors, sent an email earlier in the summer about joining the Jr. Cooley Crew
- Learning the importance of helping and giving to others



<http://ckmc.org/>



**2019 Galaxy Award Winner: Phyllis Karpola**  
(Nominated by Kathy Vorboril)

- She is held in high regard by her church, community, civic organizations and especially School District 159
- A resident of Mokena since 1976 and has been committed to her community since the day she arrived
- School crossing guard at the corner of 195th Street and Wolf Road for 33 years
- Keeps a pocket full of dog treats for those special little pals
- Member of The Ruth Society at Immanuel Lutheran Church; helping with Vacation Bible School, church dinners, and was a past president of Aids Assoc. for Lutherans
- As a member of the Mokena Historical Society, she is active in the preservation of Pioneer Cemetery
- Owned an ice cream/sandwich shop on Wolf Road called The Black Cow
- Can be seen supporting many community events at the fire station, library, and school districts
- Provides rides for elderly friends, participates in roadside cleanup, waters flowers at the cemetery, plays bingo with disabled residents, and brings special gifts and comfort to the veterans at the Manteno Veterans Home



<p><b>2019 Galaxy Award Winner: <u>Brandon Wilson</u></b> (Nominated by his father, Mr. Arthur Wilson)</p> <ul style="list-style-type: none"><li>• Grew up in Mokena and has been focused on the community since</li><li>• Started the first Lincoln Way H.S. first Environmental Club</li><li>• Started a program in Mokena to clean up, roto-till and plant wild flowers in empty lots</li><li>• Daughter has a severe tree nut allergy; learned quickly that such allergies can be very dangerous if not attended to immediately</li><li>• Concern was that his daughter and other children would have epinephrine quickly available when she was at school</li><li>• Invented a variety of cabinets, mounting panels and bags for holding epinephrine applicator devices &amp; inhalers</li><li>• His products are used in schools in every state of our country and even in the military</li><li>• Donated his products to Mokena schools and others in nearby communities</li><li>• Expanded his product line to include products that hold Naloxone applicator products such as Narcan Nasal Spray for treating people who have overdosed</li><li>• His cabinets and cases are being used by rehabilitation centers, police and fireman, in prisons, the Veteran's Administration and yes, in schools, again all over our country</li><li>• Originally focused on the aesthetics of our community and the success of its businesses, he then created products with the potential to save lives</li></ul>	<p><b>2020 Galaxy Award</b></p> <ul style="list-style-type: none"><li>• <u>2020 Nominations accepted in late winter / early spring</u></li><li>• Recognize the above and beyond accomplishment and contributions of District 159 employees, students, parents, community members, and community organizations</li><li>• Honoring those that have changed the life of a student, employee, family, or the community at large in a positive and deeply meaningful way</li></ul> 
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**PUBLIC HEARINGS**

N/A

**OLD BUSINESS**

Trustee Siwinski left the room.

**Front Street Streetscaping**

Public Works Director Lou Tiberi presented a bid recommendation for the FY 19 Landscape Paver Installation for Front Street.

Bids were received on May 16, 2019, for the FY 2019 Landscape Paver Installation on the north side of Front Street from Wolf Road to Mokena Street, and in the node areas on Front Street at Wolf Road and Mokena Street.

This is a maintenance project that includes excavation, disposal, base preparation, installation of brick pavers, and restoration of affected areas. Successful bidders were required to be Unilock-licensed installers, and all bidders had to attend a pre-bid meeting on May 2, 2019.

Due to the timing of this project, it will be budgeted and paid for in FY 20.

Bernardin's Landscaping of Mokena, Illinois, was the low bidder at \$102,335.00.

Trustee Engler made a motion to award a contract for the Landscape Paver Installation for Front Street FY 19 to the lowest bidder, Bernardin Landscaping Inc. of Mokena, Illinois in the amount of \$102,335.00 and to authorize the Village President and Village Clerk to execute same. Trustee Metanias seconded.

Trustee Metanias commented that he believes this project is necessary not only for aesthetics, but for safety. He described the process that he along with Trustee Hersted and Village staff utilized to get to this point. He stated that the proposed work will enhance the downtown.

Trustee Hersted also commented on the amount of work and research that went into the project, and believes it will be a good addition.

Trustee Budzyn asked a question on behalf of Trustee Jim Richmond, who was absent. That question was if the streetscape improvements could be paid for with TIF funds. Village Administrator John Tomasoski said it could be paid for using those funds. Trustee Budzyn continued by asking if the project would be paid for by the TIF funds under the current proposal. Village Administrator Tomasoski said the project was currently going to be paid for out of the Capital Improvement fund.

Trustee Budzyn questioned why TIF funds weren't being used.

Village Administrator Tomasoski said one of the reasons was that it would limit the availability of TIF funds for potential future TIF projects.

Trustee Budzyn asked if TIF funds could be utilized for enhancement of the downtown area.

Village Administrator Tomasoski stated they could.

Trustee Budzyn said he requested bid documents from Village staff and saw an absence of any comment in the proposal that addresses either existing trees on Front Street or the electrical boxes located in unpaved areas where cobblestone is located.

Trustee Budzyn stated there are 11 existing trees on the north side of Front Street. He wanted to know what the plan was for those trees.

Public Works Director Tiberi stated that in meetings with all contractors interested in bidding the project, each had different ideas on how to address the trees. Nothing specific was put into the bid documents so the contractor doing the work could had flexibility to do what they believed was best. Bernardin's plan is to encircle the trees with pavers.

Trustee Budzyn also expressed concern that specific guidelines or measurements were not included in the bid documents. He said he was told earlier in the day that the trees that are currently in place in that area are in various stages of decline, with some dying. He asked if staff had an arborist come out to look at them.

Public Works Director Tiberi indicated there had not been.

Trustee Budzyn then referenced a passage from the Morton Arboretum's website regarding tree root problems. He requested a quote from a Morton Arboretum website be entered into the record. He stated it's 'Tree root problems, it's a section titled, 'surface roots.' I'll just read about three sentences from here. It says, 'Major tree roots are often grown within a few inches of the soil surface. Some species, such as maples (which is what is located along Front Street) grow roots particularly close to the surface. Removing these roots may disturb the moisture supply to the tree, causing serious stress. Covering them could cut off the oxygen supply to the fine roots in the soil below. Both situations can lead to decline. The best solution is to usually mulch the area under the tree with compost and/or wood chips'. And then, continuing on, it says, for roots and pavement, it says 'provide a minimum distance of 4 feet between the tree and the pavement.' And, again, it refers to cutting of the problem roots often causes stress and instability. 'Trees without sufficient root support can be blown over more easily in a storm.'"

Trustee Budzyn said he believes the proposal is jeopardizing those trees by digging down 12 inches and installing compacted gravel. He stated the likelihood of these trees surviving and remaining viable is questionable, and he has serious concerns about it.

Trustee Budzyn said he could not support the proposal as presented.

AYES: (3) Engler, Hersted, Metanias

NAYS: (1) Budzyn

Absent: (1) Richmond

Motion carried

Trustee Siwinski re-entered the room.

### **Food Truck Ordinance**

Trustee Hersted left the room.

Building and Planning Director Matt Ziska presented an ordinance pertaining to mobile food operations.

# Food Truck Ordinance

Village Board  
Regular Meeting  
May 28, 2019



## Objective:



## Background:



## OVERVIEW

- ▶ Definitions for *mobile food vendor* and *mobile food vehicle*
- ▶ Business License Requirements
- ▶ Permit Requirements
- ▶ Operational Guidelines
- ▶ Permit and Licensing Fees
- ▶ Exemptions

## Licensing:

- ▶ All mobile food vendors must obtain a local business license.
- ▶ All applicants for a Mobile Food License must provide:
  - ▶ Valid Operating Permit Issued by the Will County Health Department
  - ▶ A complete list of food products sold by the vendor
  - ▶ a photo and/or detailed description of the mobile food vehicle(s)
  - ▶ Vehicle identification number(s)
  - ▶ Proof of liability insurance



## Permitting:

- ▶ All mobile food vendors must apply for a "Mobile Food Vendor Permit" for **each** event.
- ▶ Every application for a "Mobile Food Vendor Permit" must include:
  - ▶ Vendor/operator contact information
  - ▶ Event date
  - ▶ Hours of operation
  - ▶ Exact vending location
  - ▶ Signed letter of authorization from the property owner



## Frequency:

- ▶ All permits would be limited to one (1) day events, unless authorized by the Village as part of a Special Event.
- ▶ All businesses limited to no more than four (4) "Mobile Food Vendor Permits" annually, unless authorized by the Village.

## Hours of Operation:

- ▶ Residential Districts:  
7 A.M. to 10 P.M. Monday-Sunday.
- ▶ Commercial and Industrial Districts:  
7 A.M. to 12 A.M. Monday-Saturday, 7 A.M. to 10 P.M. on Sundays.



## Operational Guidelines :

- ✓ Location
- ✓ Parking and Circulation
- ✓ Nuisance Mitigation



## Location-based:

- ▶ All mobile food vendors are prohibited from parking on public streets and cannot pass through the community in search of customers.
- ▶ Must maintain a minimum setback distance of 200 feet from the primary entrance of other food service establishments, unless approved by the owner of the food service establishment.

## Parking & Circulation:

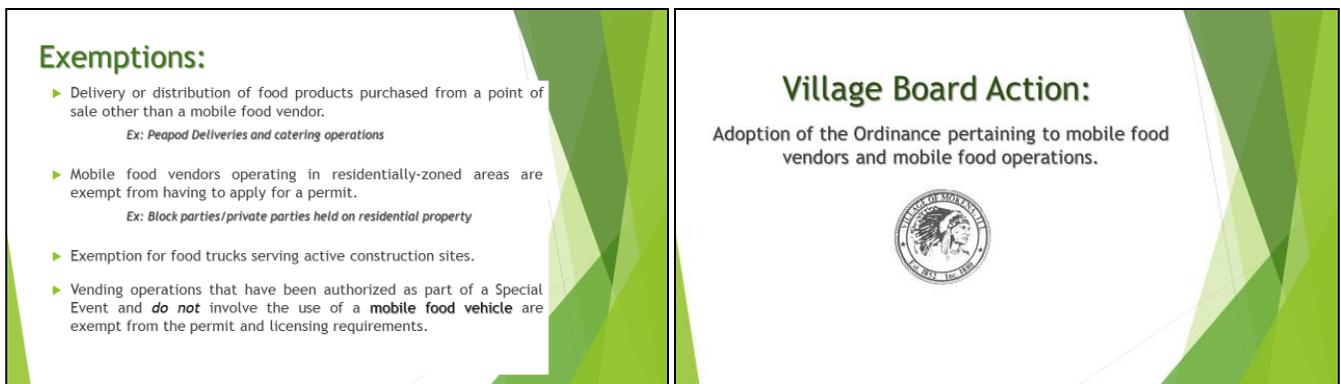
- ▶ Mobile food vehicles cannot obstruct or interfere with the free flow of pedestrian or vehicular traffic
- ▶ Mobile food vendors shall be responsible for organizing customer queuing.



## Nuisance Mitigation:

- ▶ Amplified music and loud noises are prohibited.
- ▶ Vendors are responsible for controlling smoke and odors.





Building and Planning Director Ziska stressed that balancing the needs of the community with the vested interests with the brick-and-mortar establishments within the Village was a primary objective throughout the process.

The proposed ordinance includes the following particulars:

- Definitions for *mobile food vendor* and *mobile food vehicle*
- Business license requirements
- Permit requirements
- Frequency limitations
- Permitted hours of operation
- Permit and licensing fees
- Operational guidelines/restrictions
- Exemptions
- Special events

The Board first received information from staff on food trucks (including current restrictions, recent trends, and advantages/disadvantages of these vehicles) at its November 19, 2018 work session. At that time, the Board asked staff to continue researching policies other municipalities have in place to address mobile food vending operations.

At its January 21, 2019 work session, staff presented the results of its research to the Board and outlined three different levels of oversight (*no restrictions, some restrictions, heavily restricted*) that could be pursued by the Village in order to address mobile food operations. Based on feedback provided by the Board at that time, it was determined that mobile food trucks should be allowed to operate in Mokena, albeit with some restrictions placed on location, parking, circulation, and frequency of use. In addition to regulating food truck operations, the Board also agreed that mobile food vendors should be required to obtain an annual business license from the Village, as well as a “Mobile Food Vendor” permit for each separate event (with some exceptions).

At its April 22, 2019 work session, the Board reviewed a draft food truck ordinance prepared by staff and legal counsel. The overall framework and regulatory parameters that would be set under the proposed ordinance were outlined.

While preparing a final ordinance for potential Board adoption, staff discovered potential conflicts when applying certain sections of the ordinance to special events authorized by the Village. Staff presented its concerns to the Board at the Board’s May 6, 2019 work session, and proposed allowing certain exemptions for mobile food vendors operating as part of a special event.

Staff presented a newly created subsection for special events at the Board’s May 13, 2019 work session, and explained that the proposed revisions would help streamline the permit process, ease license requirements for small-scale cooking operations, and provide greater flexibility for special event organizers.

If approved, the proposed ordinance will go into effect in thirty days, on June 27, 2019.

Trustee Engler made a motion to adopt Ordinance No. 2019-O-019 pertaining to Title 3, Chapter 18 (Mobile Food Vendors) and to authorize the Village President and Village Clerk to execute same. Trustee Metanias seconded.

Trustee Siwinski acknowledged that some glitches may be found as the process begins, but congratulated Building & Planning Director Ziska on the research and hard work that went into preparing the ordinance.

AYES: (4) Budzyn, Engler, Metanias, Siwinski

NAYS: (0)

Absent: (1) Richmond

Motion carried

Trustee Hersted re-entered the room.

#### NEW BUSINESS

N/A

#### VILLAGE ADMINISTRATOR'S COMMENTS

Village Administrator Tomasoski requested Community/Economic Development Director Alan Zordan update the Board on development and business activities. Mr. Zordan provided an update on pending development projects and highlighted businesses offering children's summer camps.

#### TRUSTEES' COMMENTS

Trustee Budzyn commented that he isn't opposed to having Front Street look presentable and safe, but he is opposed to the manner in which it is being handled. He also referenced the budget work session scheduled for later in the evening, and wondered when the Village would start funding for a police station. He would like to prioritize funding for a new public safety facility.

Trustee Metanias commented that he believes the proposal for Front Street is the right thing to do to make it more presentable and safe.

Trustee Engler commented that there is still time to apply for one of three scholarships from the Mokena Mayors Charitable Foundation. The deadline is Friday, June 14, 2019. She is also looking for more Beautification Award Judges.

#### CLERK'S COMMENTS

N/A.

#### MAYOR'S COMMENTS

Mayor Fleischer commented on the Memorial Day events at Pioneer Cemetery presented by Mokena VFW Post 725. He thanked Commander Hogan for his hard work on the ceremonies. He also commented on the passing of Jacob Manka, a young Mokena resident, and how the parents are thankful for the outpouring of love from the Mokena community. He thanked Trustee Metanias for his involvement with the Holiday Inn Express construction project.

#### ADJOURNMENT

Trustee Siwinski made a motion to adjourn the Regular Session at 7:46 p.m. Trustee Engler seconded.

AYES: (5) Budzyn, Engler, Hersted, Metanias, Siwinski

NAYS: (0)

Absent: (1) Richmond

Motion carried

Respectfully submitted,

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Frank A. Fleischer, Village President

ATTEST:

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Melissa Martini, Village Clerk