



WILL COUNTY REPUBLICAN CAUCUS COMMITTEE MEETING MINUTES

302 N. CHICAGO ST.
JOLIET, IL 60432

MAY 18, 2017

County Board Committee Room

Regular Meeting

8:45 AM

I. CALL TO ORDER / ROLL CALL

Majority Leader Charles E. Maher called the meeting to order at 8:50 AM

| Attendee Name | Title | Status | Arrived |
|-------------------|----------------------|---------|---------|
| Charles E. Maher | Majority Leader | Present | |
| Mike Fricilone | Majority Whip | Present | |
| Jim Moustis | County Board Speaker | Late | |
| Steve Balich | Member | Present | |
| Darren Bennefield | Member | Present | |
| Gloria Dollinger | Member | Present | |
| Gretchen Fritz | Member | Late | |
| Donald Gould | Member | Present | |
| Suzanne Hart | Member | Present | |
| Tim Kraulidis | Member | Absent | |
| Judy Ogalla | Member | Late | |
| Annette Parker | Member | Present | |
| Cory Singer | Member | Absent | |
| Ray Tuminello | Member | Late | |
| Tom Weigel | Member | Present | |
| Debbie Militello | Member | Present | |

Also Present: M. Johannsen.

Present from State's Attorney's Office: M. Tatroe.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Weigel led the Pledge of Allegiance to the Flag.

III. APPROVAL OF MINUTES

1. WC Republican Caucus - Regular Meeting - Apr 20, 2017 8:45 AM

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Darren Bennefield, Member |
| SECONDER: | Steve Balich, Member |
| AYES: | Maher, Fricilone, Balich, Bennefield, Dollinger, Gould, Hart, Parker, Weigel, Militello |
| ABSENT: | Moustis, Fritz, Kraulidis, Ogalla, Singer, Tuminello |

IV. OLD BUSINESS**V. NEW BUSINESS****1. Discussion of County Board Agenda**

Mr. Gould stated Public Works had a request from the Village of Romeoville for a mid-block traffic signal. The Committee moved this forward. At the Executive Committee the State's Attorney's Office advised, based on the statute they would not draft a Resolution. We discussed this at our Caucus and thought it would be appropriate to have Mr. Ronaldson here today to answer questions, present the DOT's position and why they feel this is not appropriate.

Mr. Ronaldson stated we have worked on this for several years. Grand Avenue and 135th Street on Weber Road are signalized at a quarter mile spacing which is the SRA standard, with no traffic light between them. Weber Road is an SRA route as designated by the State of Illinois and we have to follow their design criteria. As part of the improvements to the Weber Road/I-55 interchange, the site is impacted by losing full access on 135th Street, because of the dual left turns. The dual left turns and the median cut off one full access point. The developer contends that makes the site nonviable. In 2013 when the project was being designed the Village requested IDOT to look at alternatives to maintain the economic viability and IDOT wrote that the access is sufficient and no changes needed. However, they did shorten the dual left turn lanes on 135th Street to allow full access to remain on the eastern end of the property. Full access could be maintained on 135th Street. The original design cut off both of the full access points. A concession was made at that time. In December 2016 we met with IDOT's District Engineer and other top officials to go over this scenario again and the mid-block signal was not an option to be considered. IDOT brought forth options on 135th Street, U-turns on Weber and 135th and allowing a frontage road on the property from the full access they have to get to the front of the building. The developer stated the frontage road is expensive. We have never been provided exact numbers, an estimate or a design to refute that statement. These are viable options presented by IDOT. The traffic signal, mid-block at one-eighth of a mile, which is substandard by 50% is not a viable option, it cannot go forward in our current contract. From an engineering standpoint, why should we allow this? We have been told this is for economics. A traffic signal must be warranted per state statutes. It must meet traffic counts to warrant a traffic signal, which this site does not. Economics is not an allowable warrant. By engineering standards we cannot allow this signal to move forward.

Mr. Balich expressed concerns about adding lanes to Weber Road which will devalue the property of the developer and the site will become blighted.

Mrs. Parker asked why a light could not be put at the eastern exit of the property onto 135th Street.

Mr. Ronaldson replied IDOT did allow a modification on 135th Street to allow one of the full access location to remain on the backside of the property. The one being taken is on the front of the building. A signal could go at the eastern end of the center at some point and it will probably be warranted when the development to the south happens. 135th Street is a village street and if they want to do something substandard or otherwise, that belongs to them.

Mr. Maher stated IDOT looked at this area and the warrants were not met. Was that because they adopted the federal regulations and they could not veer from them? Is there venue for the developer or us to go the Feds and ask for a change?

Mr. Ronaldson answered because we are using federal dollars for this project, IDOT has to abide by the federal design criteria and the state statutes dictate using the warrant analysis and the MUTCD which is a federal manual.

Mr. Maher asked is there anything that can be done at a County or State level?

Mr. Ronaldson replied if you want a variance from the MUTCD, the federal standards, you would have to go to the Feds. There is an option in the MUTCD and the federal guidelines to do that. I am not aware of a time the County has done that.

Mr. Maher stated some on the caucus argue that a side, rear access is not full access for a retail center. When you drive down Weber Road and see a place to shop, a person would not assume there is a rear access around the back. We should be open to discussion on options. We need to give the developer the right to go to the Feds. I don't think we can move forward based on the potential liability to the County if we do a Resolution. What would be the next step?

Mr. Ronaldson stated this is new territory for this entire process. We have a mailing address and e-mail address to submit to the federal government. I would recommend they submit all the document to justify what they are asking for so the Feds know what they are asking. That would include a warrant analysis, IDS, geometry showing how it works just for starters?

Mr. Maher asked who would submit the documents to the Feds?

Mr. Ronaldson replied I believe the public agency has to submit.

Mr. Maher stated the developer is the one that wants this; they will have to do all the work and submit that to us. Why would we not give the Feds an opportunity to take a look at this and say yes or no.

Mr. Balich agreed with moving forward to help the developer so they will not demand that the County purchases the center.

Mrs. Tatroe responded I don't think there is a risk of a lawsuit from the developer against the County. If we put in a substandard light and there was an accident, an issue could be made. The additional concern is; if that were to happen, your insurance company might not cover you. The County would be responsible 100%.

Mr. Dick Kavanagh disagreed there would be a liability to the county if this was granted. In our opinion this is discretionary. We disagree with the SA with regard to the impact of home rule and we believe there are certain instances when you have engineering studies and judgment you can move forward. I understand there is no Resolution for you to vote on today. We feel this will be coming back next month and in the meantime we will continue discussions with the State's Attorney's Office.

Mr. Maher stated I would also like to have our County Engineer involved in those discussions and decide what needs to be done to take this to the next level. I don't believe the County should take on any costs for sending this to the Feds.

Mr. Kavanagh stated we understand the position taken by Mr. Bruce Gould and Mr. Ronaldson. We think they are wrong. I would ask Mr. Ronaldson to get me the name, address, e-mail address and phone number we will proceed. We don't believe it should be necessary to do this.

Mr. Maher stated the State has already discussed this and it appears it will need to go to the next level, if the departments we answer to have said no.

Mr. Kavanagh stated I think the State said no; there has been a JT and this is Will County's decision.

Mr. Ronaldson disagreed with Mr. Kavanagh's statement. We have jurisdiction, but we have to abide by the state guidelines when using federal and MFT funds.

Mr. Ken Grey stated we are going to work very closely with Mr. Kavanagh to see if there is another solution to avoid liability for the county.

Mrs. Hart stated I am seeing a trend here with our roads. We had the issue on 95th Street Bridge and the confusion there. We now have an issue on Weber Road. I think we need to look at all the road issues.

Mrs. Tatroe stated these are coming up more often because we have more and more development. When you get more developments you will have more challenges.

Mrs. Hart stated there seem to be issues with what we can do when using federal dollars, versus IDOT dollars. Once again we are talking about a JT.

Mr. Maher stated what struck me is when the state adopted the federal regulations. When they adopted those, they can no longer make changes without going to the Feds.

Mrs. Tatroe added it is not any changes. It is just those designated as standards. There are guidelines in the manual where you have latitude. Other are designated as standards and then you do not have latitude to change.

Mr. Gould suggested tabling this matter until June.

Land Use and Development Committee:

Mr. Weigel reviewed the Zoning Case and Resolution.

Finance Committee:

Mr. Fricilone reviewed the Resolutions.

Public Works & Transportation Committee:

Mr. Gould reviewed the Resolutions.

Judicial Committee:

Mr. Bennefield reviewed the presentation given at Committee on summer intern opportunities.

Mr. Moustis and Mr. Tuminello arrived at this juncture.

Public Health & Safety Committee: No discussion.

Legislative Committee:

Mrs. Hart stated Mr. Moustis, Mr. Palmer and I are going to DC next week. We have two full days of meetings.

Mr. Maher indicated Mr. Moustis will be presenting the State of Will County to the Naperville Chamber on Monday.

Capital Improvements Committee:

Mr. Tuminello reviewed the Resolutions.

Executive Committee:

Mr. Moustis reviewed the Resolutions. Resolution #17-132 will be withdrawn and #17-124 will be tabled.

Mrs. Ogalla arrived at this juncture.

VI. OTHER NEW BUSINESS

Mr. Moustis stated I have given some thought to amending the burning ordinance. I don't think there is a desire or support to go over the entire ordinance, I am not adverse to Mr. Weigel bringing an amendment forward for an up or down vote. That amendment may be restricting burning to certain days each week, in certain zoning classifications or during certain months in the fall. This is going to the Executive Committee to see if there is support. I would suggest Mr. Weigel that you bring a very specific amendment you would like to see in the ordinance. There have to be alternatives. In Frankfort Township the municipalities vacuum up the leaves and once the residents were offered an alternative they stopped burning.

Mr. Weigel stated my intent is not to go over the entire ordinance. I had a specific amendment to allow burning on Wednesdays and Saturdays. I did forward my amendment to the State's Attorney's Office and they agree the language is okay.

Mr. Moustis stated this is an enforcement issue. Many people who burn are not burning within the ordinance. Who is responsible for enforcement?

Mr. Paddock replied the ordinance states the Sheriff's Department and other applicable departments. Most of the calls have gone to the Sheriff's Department. Our office has received calls and we are compiling for Mr. Weigel a list of the complaints and locations over the last three years. There have not been a large number of complaints.

Ms. Fritz arrived at this juncture.

Mr. Maher stated I am finding this to be not only an enforcement issue, but communication to residents on options. I don't want to review the entire ordinance, but I think we need to discuss how we are giving citizens relief and direction on where to go with complaints. I am not sure that specifying two days per week is the answer, because of possible weather issues

Mr. Moustis asked representatives from Land Use and the Sheriff's Department to attend the meeting and answer questions about enforcement.

Mr. Maher asked Land Use to send him a list of the complaints. It appears there are number of residents who are repeat offenders. We may need to look at the offenses and see if we have appropriate fines established.

Mrs. Ogalla stated we spent over two years talking about this at Public Health. We did nothing else. Most of the complaints seem to come from one individual. What has that community done to rectify this? What steps have they done? Have they held public meetings? I do not support putting in any law because we have a few individuals who complain.

Mr. Moustis stated we have been sensitive to burning or we would not have changed the ordinance. The Ag zoning, golf courses, Forest Preserve and government agencies are exempt. If there are violations they have violated the current ordinance. We have fully vetted this issue. Where are they burning that they are within the ordinance that is a nuisance?

Mr. Maher stated we need to enforce the current laws, before we make changes. If you burn anything besides dry leaves, you should get a ticket.

Mr. Balich stated if we restrict burning we may have to buy machines and hire more employees to pick up the leaves. I don't want to see an additional cost to the taxpayers. We cannot change the ordinance when we are not enforcing the current one. This is a never ending issue.

VII. PUBLIC COMMENT

VIII. CHAIRMAN'S REPORT / ANNOUNCEMENTS

IX. EXECUTIVE SESSION

X. ADJOURNMENT

1. Motion to Adjourn at 9:32 AM

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| RESULT: | DEFEATED [UNANIMOUS] |
| MOVER: | Mike Fricilone, Majority Whip |
| SECONDER: | Annette Parker, Member |
| AYES: | Maher, Fricilone, Moustis, Balich, Bennefield, Dollinger, Fritz, Gould, Hart, Ogalla, Parker, Tuminello, Weigel, Militello |
| ABSENT: | Kraulidis, Singer |

Next Meeting - June 15, 2017