



**THE VILLAGE OF HAWTHORN WOODS  
VILLAGE BOARD MEETING  
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS  
MONDAY, NOVEMBER 28, 2016  
7:00 PM**

**MINUTES**

**I. CALL TO ORDER AND ROLL CALL**

Mayor Mancino called the meeting to order at 7:03 p.m. Roll call indicated the following members were present: Mayor Mancino, Trustees Ponzio, Riess, Morgan, Corrigan, and DiMaggio. Absent was Trustee David.

Also present were Chief Operating Officer Pamela Newton, Chief Administrative Officer and Village Clerk Donna Lobaito, Chief Financial Officer Kristin Kazenas, Chief of Police Jennifer Paulus, Public Works Director and Village Engineer Erika Frable, PE, Director of Parks and Recreation Brian Sullivan, Community Development Director Michael Cassata, AICP, Village Attorney Patrick Brankin, Village Engineer Lee Fell. PE, and Landscape Designer Brad Dethloff.

**II. PLEDGE OF ALLEGIANCE**

**III. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

Several boy scouts were in the audience and had questions for the Village Board:

**Aiden Flannery** – Aiden asked why fences were not allowed in the Village. Mayor Mancino spoke of the history of the formation of the Village and the desire for an open feel for residents to enjoy.

**Colin Potempa** – Colin asked why there were no sidewalks in the Village. Mayor Mancino responded that the founding residents of Hawthorn Woods wanted a rural lifestyle, which did not include the use of sidewalks. Furthermore, he mentioned the high cost to maintain sidewalks.

**Jack and Joshua** – Jack and Joshua asked if there was enough money in the budget to build a dog park. Mayor Mancino responded that the current budget does not contain money for a dog park, but possibly in the future.

**IV. PUBLIC HEARINGS**

- A. A Public Hearing Regarding a Certain First Amendment to a Certain Annexation Agreement—Hawthorn 45 LLC

Motion by DiMaggio, second by Ponzio to open the public hearing.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

Minutes of this portion of the meeting were prepared by Joan M. Holub of Q & A Reporting, Inc. and are attached hereto as Exhibit "A".

Motion by Corrigan, second by DiMaggio to close the public hearing.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

B. A Public Hearing Regarding the Vacation of Two Dedicated Public Streets Within Corporate Limits—Hawthorn Trails Phase 3 Subdivision

Motion by Riess, second by DiMaggio to open the public hearing.

Minutes of this portion of the meeting were prepared by Joan M. Holub of Q & A Reporting, Inc. and are attached hereto as Exhibit "B".

Motion by Ponzio, second by DiMaggio to close the public hearing.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

C. A Public Hearing for the Fiscal Year 2017 Village Budget

Motion by DiMaggio, second by Morgan to open the public hearing.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

There were no comments from staff or the public.

Motion by Riess, second by Corrigan to close the public hearing.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

- D. Truth in Taxation Hearing for the Proposed Property Tax Levy for the Village of Hawthorn Woods for the Fiscal Year Commencing on January 1, 2017 and Ending December 31, 2017, of the Village of Hawthorn Woods, Lake County, Illinois

Motion by DiMaggio, second by Corrigan to open the public hearing.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

Ms. Kazenas noted the Village was subject to the property tax cap limitation, but our goal was to capture the new growth experienced in town.

Motion by Corrigan, second by DiMaggio to close the public hearing.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

## V. **MAYOR'S REPORT AND COMMITTEE REPORTS**

- A. Mayor's Report -----Joseph Mancino, Mayor

Mayor Mancino reported that today he attended a meeting in which Randy Blankenhorn, Secretary of Transportation for IDOT, spoke about new financing mechanisms for roads.

B. Environmental Committee-----John Bickley, Chair

Steve Riess, Trustee Liaison

Trustee Riess reported that although the committee did not meet, as of late, they are working on a new tree ordinance. He also reported that he met with Ms. Newton regarding a tree nursery.

C. Zoning Board of Appeals-----John Kosik, Chair

Dominick DiMaggio, Trustee Liaison

No report this month.

D. Planning, Building and Zoning Commission -----Jim Kaiser, Chair

Dominick DiMaggio, Trustee Liaison

1. Approval of an Ordinance Adopting a Certain First Amendment to a Certain Annexation Agreement—Hawthorn 45 LLC
2. Approval of an Ordinance Authorizing the Vacation of Two Dedicated Public Streets Within Corporate Limits—Hawthorn Trails Phase 3 Subdivision
3. Approval of an Ordinance Rezoning Land Within the Village of Hawthorn Woods to B Retail Business/Commercial District—Hawthorn Trails Phase 3 Subdivision—Approximately 4.4 Acres Located Generally at the Northeast Corner of the Intersection of Quentin Road and Illinois Route 22
4. Approval of an Ordinance Granting a Special Use Permit for a Planned Unit Development Plan and Plat, Granting Final Subdivision Plat Approval, Granting Final Engineering Plan Approval, Granting Final Landscape Plan Approval, and Granting Certain Relief From the Village’s Zoning Ordinance, Subdivision Control Ordinance, and Building Regulations Ordinance—Foxford Communities—Hawthorn Trails Phase 3—Northeast Corner of the Intersection of Illinois Route 22 and Quentin Road
5. Approval of an Ordinance Authorizing the Acceptance of the Covenants for Hawthorn Trails Phase 3 Homeowners’ Association—Foxford Communities—Hawthorn Trails Phase 3 Subdivision
6. Approval of an Ordinance Granting a Special Use Permit for Display Homes—Foxford Communities—Hawthorn Trails Phase 3 Subdivision
7. Approval of an Ordinance Authorizing the Execution of the Hawthorn Trails Phase 3 Subdivision Improvement Agreement—Foxford Communities

Minutes of this portion of the meeting were prepared by Joan M. Holub of Q & A Reporting, Inc. and are attached hereto as Exhibit “C”.

Motion by DiMaggio, second by Corrigan to approve an Ordinance Adopting a Certain First Amendment to a Certain Annexation Agreement—Hawthorn 45 LLC.

Roll call vote.

Ayes: Ponzio, Riess, Corrigan and DiMaggio  
Nays: Morgan  
Abstain: None

Absent: David  
Motion carried.

Motion by DiMaggio, second by Riess to approve an Ordinance Authorizing the Vacation of Two Dedicated Public Streets Within Corporate Limits—Hawthorn Trails Phase 3 Subdivision.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio  
Nays: None  
Abstain: None  
Absent: David  
Motion carried.

Motion by DiMaggio, second by Corrigan to approve an Ordinance Rezoning Land Within the Village of Hawthorn Woods to B Retail Business/Commercial District—Hawthorn Trails Phase 3 Subdivision—Approximately 4.4 Acres Located Generally at the Northeast Corner of the Intersection of Quentin Road and Illinois Route 22.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio  
Nays: None  
Abstain: None  
Absent: David  
Motion carried.

Motion by Ponzio, second by DiMaggio to approve an Ordinance Granting a Special Use Permit for a Planned Unit Development Plan and Plat, Granting Final Subdivision Plat Approval, Granting Final Engineering Plan Approval, Granting Final Landscape Plan Approval, and Granting Certain Relief From the Village's Zoning Ordinance, Subdivision Control Ordinance, and Building Regulations Ordinance—Foxford Communities—Hawthorn Trails Phase 3—Northeast Corner of the Intersection of Illinois Route 22 and Quentin Road.

Roll call vote.

Ayes: Ponzio, Riess, Corrigan and DiMaggio  
Nays: Morgan  
Abstain: None  
Absent: David  
Motion carried.

Motion by Corrigan, second by DiMaggio to approve an Ordinance Authorizing the Acceptance of the Covenants for Hawthorn Trails Phase 3 Homeowners' Association—Foxford Communities—Hawthorn Trails Phase 3 Subdivision.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

Motion by Corrigan, second by Riess to approve an Ordinance Granting a Special Use Permit for Display Homes—Foxford Communities—Hawthorn Trails Phase 3 Subdivision.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

Motion by Ponzio, second by DiMaggio to approve an Ordinance Authorizing the Execution of the Hawthorn Trails Phase 3 Subdivision Improvement Agreement—Foxford Communities.

Roll call vote.

Ayes: Ponzio, Riess, Corrigan and DiMaggio

Nays: Morgan

Abstain: None

Absent: David

Motion carried.

E. Finance Committee-----Peter Ponzio, Chair  
Kelly Corrigan, Trustee Liaison

1. Approval of the August, 2016 Financial Statements

Motion by Corrigan, second by DiMaggio to approve the August, 2016 Financial Statements.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

2. Approval of the September, 2016 Financial Statements

Motion by Riess, second by Corrigan to approve the September, 2016 Financial Statements.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

3. Approval of Budget Transfers

Motion by Ponzio, second by DiMaggio to approve the Budget Transfers.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

4. Approval of an Ordinance—Travel, Meals and Lodging Expenses

Motion by Corrigan, second by DiMaggio to approve an Ordinance—Travel, Meals and Lodging Expenses.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

5. Motion by Riess, second by Corrigan to approve an Ordinance Amending the Village Code of the Village of Hawthorn Woods – Title 2, Sections 2-8-3 and 2-8-4 – Finance Committee.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

6. Approval of a Resolution Adopting an Investment Policy

Motion by Corrigan, second by DiMaggio to approve a Resolution Adopting an Investment Policy.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

F. Special Census Report-----Mike David, Trustee

In Trustee David's absence, Ms. Lobaito reported that the Village is obtaining an updated cost estimate for the Special Census.

**VI. NEW BUSINESS**

E. Consent Agenda

1. Approval of the October 24, 2016 Village Board Meeting Minutes
2. Approval of Paid Invoice List Dated November 2016
3. Approval of Bills List Dated November 2016
4. Approval of the 2017 Meeting Calendar
5. Approval of an Ordinance Amending the Village Code of the Village of Hawthorn Woods—Liquor Licenses - Title 3, Section 3-3-6—Investigation; Fee
6. Approval of an Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Hawthorn Woods
7. Approval of an Ordinance Authorizing the Execution of an Agreement—Dustbusters
8. Approval of an Ordinance Ratifying and Confirming the Execution of a Previously Executed Agreement – Second Amendment to the Master Power Supply Agreement Between the Village of Hawthorn Woods, Illinois and FirstEnergy Solutions Corp.
9. Approval of an Ordinance Authorizing the Execution of an Agreement – Family Service: Prevention, Education & Counseling
10. Approval of an Ordinance Authorizing the Execution of an Agreement—KITS
11. Approval of an Ordinance Authorizing the Chief Operating Officer to Enter Into an Agreement with Arthur J. Gallagher Risk Management Services:
  - Accept the Proposal of Insurance from Arthur J. Gallagher Risk Management Services; and
  - Execute “Client Authorization to Bind Coverage”; and
  - Execute “Gallagher Compensation Agreement”; and
  - Expend \$166,062 for Property, Casualty, and Workers Compensation Insurance
12. Approval of Medical, Dental and Vision Insurance Plans for 2017
13. Approval of a Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code for Fiscal Year 2017

14. Approval of a Resolution for Construction on State Highways

Motion by Morgan, second by DiMaggio to approve the Consent Agenda.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

B. Items for Separate Action

1. Approval of an Ordinance Adopting an Annual Budget for the Village of Hawthorn Woods, Lake County, Illinois for the Fiscal Year Commencing January 1, 2017 and Ending December 31, 2017

Motion by Corrigan, second by DiMaggio to approve an Ordinance Adopting an Annual Budget for the Village of Hawthorn Woods, Lake County, Illinois for the Fiscal Year Commencing January 1, 2017 and Ending December 31, 2017.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

2. Approval of an Ordinance Providing for the Levy of Taxes for the Fiscal Year Commencing January 1, 2017 and Ending December 31, 2017, of the Village of Hawthorn Woods, Lake County, Illinois

Motion by Riess, second by Corrigan to approve an Ordinance Providing for the Levy of Taxes for the Fiscal Year Commencing January 1, 2017 and Ending December 31, 2017, of the Village of Hawthorn Woods, Lake County, Illinois.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

3. Approval of an Ordinance Abating Special Service Area Taxes for Special Service Area Number Four of the Village of Hawthorn Woods and Approving an Amended Special Tax Roll

Motion by Ponzio, second by Corrigan to approve an Ordinance Abating Special Service Area Taxes for Special Service Area Number Four of the Village of Hawthorn Woods and Approving an Amended Special Tax Roll.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

## **VII. OLD BUSINESS**

- A. None this month.

## **VIII. ADMINISTRATION REPORTS**

- A. Report from the Chief Operating Officer—Pamela O. Newton, MSOL
  - 1. Monthly Update—Village Operations

Ms. Newton provided an update on the Barn kitchen renovations, the upcoming Lake County Municipal League dinner, the Tree Lighting Ceremony, the holiday luncheon, the municipal aggregation, and her ICMA certification.

- B. Report from the Village Attorney—Patrick Brankin

Mr. Brankin will provide his report in Executive Session.

- C. Reports from Department Heads

- 1. Chief Administrative Officer—Donna Lobaito
  - a. Chief Administrative Officer Report

Ms. Lobaito's report is in the packet.

- 1. Chief Administrative Officer—Donna Lobaito
  - b. Village Clerk's Report

Ms. Lobaito's report is in the packet.

- 2. Chief Financial Officer—Kristin Kazenas, CPA, MBA, CPFO
  - a. Finance Department Report

Ms. Kazenas reported on the recent Moody's rating of the Village.

b. Human Resources Department Report

1. Approval of a Resolution Adopting a Comprehensive Job Description, Salary and Benefit Plan Update

Ms. Kazenas reported that she looked at all our comparable communities and found that the market has moved, but our ranges have remained consistent and have not kept up with CPI.

The Board discussed the comparable communities, and that some of them have much larger budgets than ours. Mayor Mancino spoke about the importance of what our employees do.

Ms. Kazenas reported that her analysis indicated that our salaries are on the low end of the spectrum, but that according to our job descriptions, we expect our employees to do more.

Motion by Corrigan, second by DiMaggio to approve a Resolution Adopting a Comprehensive Job Description, Salary and Benefit Plan Update.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio  
Nays: None  
Abstain: None  
Absent: David

Motion carried.

2. Approval of an Ordinance Amending the Village Code of the Village of Hawthorn Woods–Title 1, Chapter 8 – Village Officers and Employees

Motion by Riess, second by Corrigan to approve an Ordinance Amending the Village Code of the Village of Hawthorn Woods–Title 1, Chapter 8 – Village Officers and Employees.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio  
Nays: None  
Abstain: None  
Absent: David

Motion carried.

c. Risk Management Department Report

Ms. Kazenas reported that the work of the Wellness Committee has had a positive impact on the results of the insurance renewal.

d. Business Continuity Work Group Report

Ms. Kazenas reported that the work group met in Executive Session, and that they are making progress on the plan. She indicated the plan would be completed by the end of 2017.

3. Chief of Police—Jennifer R. Paulus

a. Police Department Report

Chief Paulus' report is in the packet.

4. Director of Public Works/Village Engineer—Erika M. Frable, PE

a. Public Works Department Report

Ms. Frable's report is in the packet.

b. Ice and Snow Removal Plan

Ms. Frable reported that the Ice and Snow Removal Plan has been updated. The Board discussed the benefit of having our own fueling station at Public Works, thus saving travel time for refueling.

5. Director of Parks and Recreation—Brian J. Sullivan, MPA, CPSI, CPRP

a. Parks and Recreation Report

Mr. Sullivan reported on the attendance at the craft fair, the clean-up of Community Park, and the Tree City application.

6. Director of Community Development—Michael Cassata, AICP

a. Community Development Department Report

Mr. Cassata reported that to date, 99 permits have been issued to Pulte Homes, and fourteen lots remain in Countryside Meadows.

## IX. EXECUTIVE SESSION

- A. Purchase of Property (5 ILCS 120/2(c) 1), Probable or Pending Litigation (5 ILCS 120/2(c) 11), and Discussion of Executive Session Minutes (5 ILCS 120/2(c) 21)

Motion by Corrigan, second by Morgan to enter into Executive Session for the purposes of Purchase of Property (5 ILCS 120/2(c) 1), Probable or Pending Litigation (5 ILCS 120/2(c) 11), and Discussion of Executive Session Minutes (5 ILCS 120/2(c) 21).

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstain: None

Absent: David

Motion carried.

The Village Board entered into Executive Session at 8:43 p.m.

The Regular Session resumed at 9:23 p.m.

**X. ADJOURNMENT**

Motion by Riess, second by Morgan to adjourn the meeting. Upon a voice vote, the motion carried and the meeting adjourned at 9:24 p.m.

Respectfully submitted,



Donna Lobaito  
Village Clerk

hawthorn 45 llc  
December 6, 2016

PRESENT:

- 1 JOSEPH MANCINO, MAYOR
- 2 KELLY COREIGAN
- 3 DOMINICK DIMAGGIO
- 4 NEIL MORGAN
- 5 PETER PONZIO
- 6 STEVE RIESS

VILLAGE STAFF:

- 7 DONNA LOBAITO, Village Administrator
- 8 PAMELA NEWTON, Chief Operating Officer
- 9 MICHAEL CASSATA, Community Development Director
- 10 ERIKA FRABLE, Village Engineer
- 11 JENNIFER PAULUS, Chief of Police
- 12 KRISTIN KAZENAS, Chief Financial Officer
- 13 BRIAN SULLIVAN, Director of Parks and Recreation
- 14 LEE FELL, Christopher Burke & Associates
- 15 BRAD DETHLOFF, Rolf Campbell & Associates

APPEARANCES:

- 16 SCHAIN, BANKS, KENNY & SCHWARZ, LTD, by
- 17 PATRICK T. BRANKIN,
- 18 On behalf of the Village of Hawthorn Woods;
- 19 LAW OFFICES OF THOMAS R. BURNEY, by
- 20 THOMAS R. BURNEY,
- 21 On behalf of Petitioner, Foxford Communities.

IN THE MATTER OF

A PUBLIC HEARING REGARDING A  
CERTAIN FIRST AMENDMENT TO A  
CERTAIN ANNEXATION AGREEMENT -  
HAWTHORN 45 LLC

(Public hearing held before the  
Village Board of Trustees on  
Monday, November 28, 2016, at the  
hour of 7:00 p.m.; held at  
(2 Lagoon Drive, Hawthorn Woods,  
Illinois.

Q & A REPORTING, INC.  
7115 Virginia Road, Suite 105  
Crystal Lake, IL 60014  
(815)477-2230  
qareportinginc.com

1 (Other Village business conducted.)  
2  
3 MAYOR MANCINO: Moving forward. We have several public  
4 hearings to conduct on our agenda.  
5 The first one is a public hearing regarding a  
6 certain first amendment to a certain annexation agreement with  
7 Hawthorn 45 LLC.  
8 So the Chair -- do I need a motion to open?  
9 Yeah. The Chair seeks a motion to open that public hearing.  
10 TRUSTEE DIMAGGIO: So moved.  
11 MAYOR MANCINO: And a second?  
12 TRUSTEE PONZIO: Second.  
13 MAYOR MANCINO: Ms. Lobaito, can you take the roll on  
14 that motion.  
15 TRUSTEE PONZIO: Yes.  
16 TRUSTEE RIESS: Yes.  
17 TRUSTEE MORGAN: Yes.  
18 TRUSTEE CORRIGAN: Yes.  
19 TRUSTEE DIMAGGIO: Yes.  
20 MAYOR MANCINO: Thank you. Our public hearing is open.  
21 I'd like to ask anybody in the public if  
22 there's any comments or questions they have regarding the  
23 annexation amendment? Is there anybody in our audience?  
24 MR. BURNEY: Mayor, for the record, Tom Burney.  
Just to let you know that Hawthorn 45 is

1 here. We've tirelessly negotiated this annexation agreement.  
2 I believe that it reflects a give and take and a win-win for  
3 both the Village of Hawthorn 45, and we ask the board to  
4 recommend at the appropriate time the approval of the  
5 annexation agreement amendment. Thank you.  
6 MAYOR MANCINO: Thank you.  
7 Are there any questions for Mr. Burney?  
8 We will be considering a resolution later on  
9 in our meeting regarding this action.  
10 TRUSTEE PONZIO: Mr. Mayor, I had a question about the  
11 fire-suppression issue. That was one of the points raised  
12 several times. I was just wondering, I think the board  
13 actually has to vote on that issue as part of this agreement,  
14 and I was just wondering if we had any discussion about this  
15 issue among the board members.  
16 MAYOR MANCINO: I know there's been a lot of internal  
17 discussion with staff on that issue. We won't be voting  
18 precisely on that issue. We would be voting on several  
19 resolutions during the approval process. Part of that is the  
20 consideration. I know that the plan commission did recommend  
21 it as part of their -- as their recommendation process, they  
22 did ask for it. And I think I know several trustees I've had  
23 discussions with and so has staff regarding the issue.  
24 Have you?

1 TRUSTEE PONZIO: Yes. I just wanted to raise it to let  
2 the plan commission know that we are considering it and that we  
3 have had discussions.

4 MAYOR MANCINO: Yeah. And I don't know if a public  
5 hearings -- if this public hearing specifically is the  
6 appropriate venue, but I think it requires a greater discussion  
7 with regard to fire suppression in general.

8 TRUSTEE PONZIO: Uh-huh.

9 MAYOR MANCINO: We don't require it currently in our  
10 codes. So I think as a matter of policy and at some point it  
11 needs to be a part of our discussion, maybe not specific to  
12 this development but at least be part of a greater discussion  
13 here.

14 TRUSTEE PONZIO: I believe the developers are offering it  
15 as an option if residents wish that; is that correct?

16 MAYOR MANCINO: That's correct. I think we can get  
17 additional detail from them when we move on to resolutions as  
18 well. Unless, they're here if you have some questions  
19 directly.

20 TRUSTEE PONZIO: No.

21 MAYOR MANCINO: That is an option that's being offered.  
22 That was in the staff report.

23 TRUSTEE PONZIO: Right.

24 MAYOR MANCINO: Which is similar to what is being done in

1 HT1 and 2, if I'm not mistaken. That is an option on those  
2 homes.

3 TRUSTEE PONZIO: I think there was one person that  
4 requested it, if I remember correctly.

5 MAYOR MANCINO: I think that is so far what we have.

6 I think, again, it's going to require much  
7 broader discussion. I was surprised to hear some feedback from  
8 people I spoke to that said oh, I don't want those or I had one  
9 malfunction on me and it ruined my grandmother's couch. So I  
10 was kind of surprised to hear that, about the maintenance  
11 issues that may come up and some folks don't want them.

12 This particular development, of course, does  
13 have fire protection in fire hydrants, good old-fashioned fire  
14 hydrants, which is throughout our village. But I think there's  
15 a broader discussion we need. We probably need to have it  
16 sooner rather than later because we're growing.

17 Just to make sure there isn't any public  
18 comment during our public hearing.

19 (No response.)

20 Or staff comment.

21 (No response.)

22 Then the Chair seeks a motion to close the  
23 public hearing.

24 TRUSTEE RIBBS: If you'd pause for a moment, Mr. Mayor, I

1 had one question.  
2 In regards to this development, will we be  
3 asking for letters of credit or a completion bond? Or how will  
4 that structure work?  
5 MR. CASSATA: A bond will be required, which is what our  
6 code requires. As you recall, about six months ago we adopted  
7 a text amendment that requires bonds.  
8 TRUSTEE RIESS: Is that considered a completion or a  
9 performance bond?  
10 MR. CASSATA: It's a performance bond.  
11 TRUSTEE RIESS: And what does it stipulate in regards to  
12 performance? To complete the subdivision or just the streets  
13 and roads or --  
14 MS. FRABLE: It covers all the public improvements --  
15 MAYOR MANCINO: Can you use your microphone, Erika,  
16 MS. FRABLE: You bet. It covers -- it's a bond, and it  
17 covers -- the developer is required to have their engineers  
18 submit an engineer's estimate that covers everything, all the  
19 public improvements and all the drainage improvements,  
20 detention basins. Even though detention basins aren't the  
21 Village's responsibility in the end, they're still a public  
22 improvement that the whole neighborhood needs to benefit from.  
23 So all of those are included in the engineer's estimate that's  
24 looked at by our consulting engineers as well as myself to

1 confirm that it's an adequate amount for -- if the developer  
2 were to have issues down the road and not be able to complete  
3 the project the items in the engineer's estimate are actually  
4 amounts per unit cost based on what -- if the Village had to  
5 bid out that project to finish it, not if the developer because  
6 the developer is going to get a better unit price than the  
7 Village will because the Village isn't in the business to do  
8 this. So it's protected that way with also like a contingency  
9 factor on it, so it covers everything.  
10 TRUSTEE RIESS: Understood. Thank you.  
11 MS. FRABLE: You betcha.  
12 MAYOR MANCINO: Any other questions from the board on  
13 this item?  
14 (No response.)  
15 Do we have a motion on the table yet? No.  
16 We need a motion to close the public hearing.  
17 TRUSTEE CORRIGAN: So moved.  
18 TRUSTEE DIMAGGIO: Second.  
19 MAYOR MANCINO: Ms. Lobaito, can you please take the  
20 roll.  
21 TRUSTEE PONZIO: Yes.  
22 TRUSTEE RIESS: Yes.  
23 TRUSTEE MORGAN: Yes.  
24 TRUSTEE CORRIGAN: Yes.

1 TRUSTEE DIMAGGIO: Yes.

2 MAYOR MANCINO: Thank you. That hearing is closed.

3 \* \* \* \* \*

STATE OF ILLINOIS )  
COUNTY OF MCHEERY )

I hereby certify that I reported in  
shorthand the proceedings at the above-entitled public  
hearing and that the foregoing reported proceedings,  
consisting of pages 3 through 5, inclusive, is a true,  
correct, and complete transcript of my shorthand notes  
so taken at the time and place aforesaid.



*Joan M. Holub*

JOAN M. HOLUB  
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hawthorn woods-vacation of streets  
December 6, 2016

PRESENT:

- 1 JOSEPH MANCINO, MAYOR
- 2 KELLY CORRIGAN
- 3 DOMINICK DIMAGGIO
- 4 NEIL MORGAN
- 5 PETER PONZIO
- 6 STEVE RIBSS

VILLAGE STAFF:

- 7 DONNA LOBAITO, Village Administrator
- 8 PAMELA NEWTON, Chief Operating Officer
- 9 MICHAEL CASSATA, Community Development Director
- 10 ERIKA FRABLE, Village Engineer
- 11 JENNIFER PAULUS, Chief of Police
- 12 KRISTIN KAZENAS, Chief Financial Officer
- 13 BRIAN SULLIVAN, Director of Parks and Recreation
- 14 LEE FELL, Christopher Burke & Associates
- 15 BRAD DETHLOFF, Rolf Campbell & Associates

APPEARANCES:

- 16 SCHAIN, BANKS, KENNY & SCHWARZ, LTD, by
- 17 PATRICK T. BRANKIN,
- 18 on behalf of the Village of Hawthorn Woods;
- 19 LAW OFFICES OF THOMAS R. BURNEY, by
- 20 THOMAS R. BURNEY,
- 21 on behalf of Petitioner, Foxford Communities.

IN THE MATTER OF

A PUBLIC HEARING REGARDING THE  
VACATION OF TWO DEDICATED PUBLIC  
STREETS WITHIN CORPORATE LIMITS -  
HAWTHORN TRAILS PHASE 3 SUBDIVISION

(Public hearing held before the  
(Village Board of Trustees on  
(Monday, November 28, 2016, at the  
(hour of 7:00 p.m.; held at  
(2 Lagoon Drive, Hawthorn Woods,  
(Illinois.

Q & A REPORTING, INC.  
7115 Virginia Road, Suite 105  
Crystal Lake, IL 60014  
(815)477-2230  
qareportinginc.com

(Other Village business conducted.)

1 MAYOR MANCINO: The next meeting is a public hearing  
2 regarding the vacation of two dedicated public streets within  
3 corporate limits-Hawthorn Trails Phase 3 Subdivision.  
4 Again, this is to provide for public  
5 testimony.  
6  
7 So the Chair seeks a motion to open the  
8 public hearing regarding the vacation of two dedicated public  
9 streets within corporate limits-Hawthorn Trails Phase 3  
10 Subdivision. Do we have that?  
11 TRUSTEE RIESS: So moved.  
12 MAYOR MANCINO: Second, please?  
13 TRUSTEE DIMAGGIO: Second.  
14 MAYOR MANCINO. Ms. Lobaito, will you please take the  
15 roll to open the hearing.  
16 TRUSTEE PONZIO: Yes.  
17 TRUSTEE RIESS: Yes.  
18 TRUSTEE MORGAN: Yes.  
19 TRUSTEE CORRIGAN: Yes.  
20 TRUSTEE DIMAGGIO: Yes.  
21 MAYOR MANCINO: Thank you.  
22 Any comments from Mr. Cassata on this?  
23 MR. CASSATA: No comments. This is just to vacate the  
24 streets that were originally platted with the Cypress Grove

1 subdivision in order to accommodate this new site plan.  
2 MAYOR MANCINO: Is there anybody from our public who  
3 would like to address the board during our hearing?  
4 (No response.)  
5 Any comments are our board?  
6 (No response.)  
7 The Chair seeks a motion to close the public  
8 hearing.  
9 TRUSTEE PONZIO: So moved.  
10 MAYOR MANCINO: A second, please?  
11 TRUSTEE DIMAGGIO: Second.  
12 MAYOR MANCINO: Ms. Lobaito, would you please take the  
13 roll.  
14 TRUSTEE PONZIO: Yes.  
15 TRUSTEE RIESS: Yes.  
16 TRUSTEE MORGAN: Yes.  
17 TRUSTEE CORRIGAN: Yes.  
18 TRUSTEE DIMAGGIO: Yes.  
19 MAYOR MANCINO: Thank you. That hearing is closed.  
20 \* \* \* \* \*  
21 (Other Village business conducted.)  
22  
23  
24



PRESENT: JOSEPH MANCINO, MAYOR  
KELLY CORRIGAN  
DOMINICK DIMAGGIO  
NEIL MORGAN  
PETER PONZIO  
STEVE RIESS

VILLAGE STAFF:

DONNA LOBALTO, Village Administrator  
PAMELA NEWTON, Chief Operating Officer  
MICHAEL CASSATA, Community Development Director  
ERIKA FRABLE, Village Engineer  
JENNIFER PAULUS, Chief of Police  
KRISTIN KAZENAS, Chief Financial Officer  
BRIAN SULLIVAN, Director of Parks and Recreation  
LEE FELL, Christopher Burke & Associates  
BRAD DETHLOFF, Rolf Campbell & Associates

APPEARANCES:

SCHAIN, BANKS, KENNY & SCHWARZ, LTD, by  
PATRICK T. BRANKIN,  
on behalf of the Village of Hawthorn Woods;  
LAW OFFICES OF THOMAS R. BURNEY, by  
THOMAS R. BURNEY,  
on behalf of Petitioner, Foxford Communities.

IN THE MATTER OF

FOXFORD COMMUNITIES-HAWTHORN TRAILS  
PHASE 3 SUBDIVISION FOR AN  
ORDINANCE ADOPTING A CERTAIN FIRST  
AMENDMENT; AN ORDINANCE AUTHORIZING  
VACATION OF TWO DEDICATED PUBLIC  
STREETS; AN ORDINANCE REZONING LAND  
WITHIN THE VILLAGE OF HAWTHORN WOODS;  
AN ORDINANCE GRANTING A SPECIAL USE  
PERMIT FOR PLANNED UNIT DEVELOPMENT;  
AN ORDINANCE AUTHORIZING ACCEPTANCE  
OF COVENANTS; AN ORDINANCE GRANTING  
A SPECIAL USE FOR DISPLAY HOMES; AN  
ORDINANCE AUTHORIZING EXECUTION OF  
HAWTHORN TRAILS PHASE 3 SUBDIVISION

(Public Hearing held before the  
Village Board Of Trustees on  
Monday, November 28, 2016, at the  
hour of 7:00 o'clock p.m.; held at  
(2 Lagoon Drive, Hawthorn Woods,  
Illinois.

Q & A REPORTING, INC.  
7115 Virginia Road, Suite 105  
Crystal Lake, IL 60014  
(815) 477-2230  
qareportinginc.com

1 MAYOR MANCINO: PB and Z. There are quite a few items  
2 under PB and Z.

3 Do you have any comments or reports before we  
4 get into the ordinances?

5 TRUSTEE DIMAGGIO: Yeah. Actually, surprisingly, there  
6 were very few residents in attendance. I was shocked about  
7 that. We had, basically, for the Hawthorn Hills actually no  
8 public comment at all from any of the residents, and for the  
9 Hawthorn Trails subdivision we had one member of the public  
10 that came and addressed the commission. And actually, great  
11 reviews. They said they were extremely happy with the  
12 responsiveness of staff, the responsiveness of the developer,  
13 the accessibility. So nothing but good reviews and --

14 MAYOR MANCINO: Excellent.

15 TRUSTEE DIMAGGIO: that was the extent of it. No  
16 negative comments.

17 MAYOR MANCINO: I got some good feedback from the  
18 residents. We had a meeting with a dozen or so, maybe 14  
19 residents, myself and staff, right here. We had a meeting with  
20 them, a good two-hour meeting, and they were all residents, our  
21 residents from HT1 and 2, and it was pretty good. They had a  
22 lot of asks, a lot of questions. I think we answered all of  
23 them. We were pretty clear on what could be done, what  
24 couldn't be done. And the developer and their entire group

1 were helpful. But I did personally meet with the residents and  
2 also corresponded with them quite a bit after that via e-mail,  
3 so they got that response as well.

4 So terrific. Anything else to report?

5 TRUSTEE DIMAGGIO: No. Other than changes that we saw in  
6 the sprinkler system, setback lines with some of the houses, a  
7 little more space between the houses for fire safety. Other  
8 than that, that was it.

9 MAYOR MANCINO: Yeah. And I know there was some  
10 discussion -- and, Mr. Brankin, are we out of line having this  
11 discussion without a motion?

12 MR. BRANKIN: It's just a report.

13 You should probably get a motion.

14 MAYOR MANCINO: We're still on discussion and report.

15 There has been quite a bit of communication  
16 with staff regarding the fire-suppression issue at this point,  
17 and I also have met with the developer, and I think I passed  
18 on -- I had Donna pass on those notes to you guys as well. But  
19 if you have questions, once we get a couple of these motions on  
20 the table we can fire away.

21 So why don't we --

22 TRUSTEE DIMAGGIO: Just as a side, I don't really know --  
23 and I sat through all the --

24 MAYOR MANCINO: This is still your report; right?

1 TRUSTEE DIMAGGIO: Still the report.

2 I sat through all the meetings, and I don't  
3 recall one time a resident actually raised that concern. The  
4 concern was raised by a couple of the commissioners, by the  
5 plan commissioner. Never once did a resident raise that  
6 concern.

7 MAYOR MANCINO: The concern actually came from, I think,  
8 Countryside Fire District, who basically advocates for  
9 sprinklers in every home which, again, I think is the greater  
10 conversation this board needs to have maybe at the committee  
11 level and at the board level.

12 It's my understanding that you were on 2000  
13 BOCA; is that correct?

14 MR. CASSATA: That's correct.

15 MAYOR MANCINO: And the new sets of codes would  
16 require -- although we can modify, but the new standards do  
17 require sprinklers. And I think staff's going to do a little  
18 research into who's requiring it and who isn't. Just because  
19 we adopt the codes doesn't mean we can't then legislate or  
20 modify how it's applied to our village so that not every home  
21 would require sprinkler systems. I think that's a greater  
22 conversation that staff's going to bring to us after they do a  
23 little more research.

24 So why don't we get a motion on the table.

1 The Chair seeks a motion for approval of an ordinance adopting  
2 a certain first amendment to a certain annexation agreement -  
3 Hawthorn 45 LLC.

4 TRUSTEE DIMAGGIO: So moved.

5 TRUSTEE CORRIGAN: Second.

6 MAYOR MANCINO: Okay. Thank you.

7 Is there any discussion specific to this that  
8 we haven't had yet in the reports or public-wise?

9 (No response.)

10 No? No questions.

11 Miss Lobaito, can you please take the roll.

12 TRUSTEE PONZIO: Yes.

13 TRUSTEE RIESS: Yes.

14 TRUSTEE MORGAN: No.

15 TRUSTEE CORRIGAN: Yes.

16 TRUSTEE DIMAGGIO: Yes.

17 MAYOR MANCINO: Yes.

18 That motion carries. Thank you very much.

19 We have another motion. The Chair seeks the

20 approval of an ordinance authorizing the vacation of two  
21 dedicated public streets within corporate limits-Hawthorn  
22 Trails Phase 3 Subdivision.

23 TRUSTEE DIMAGGIO: So moved.

24 TRUSTEE RIESS: Second.

1 MAYOR MANCINO: Thank you for that.  
2 We do have a motion on the table.  
3 Is there any discussion or question for staff  
4 on this item?  
5 (No response.)  
6 There being none, I'll call for a roll-call  
7 please, Donna.  
8 TRUSTEE PONZIO: Yes.  
9 TRUSTEE RIESS: Yes.  
10 TRUSTEE MORGAN: Yes.  
11 TRUSTEE CORRIGAN: Yes.  
12 TRUSTEE DIMAGGIO: Yes.  
13 MAYOR MANCINO: Thank you. That motion carries.  
14 The Chair seeks a motion for the approval of  
15 an ordinance rezoning land within the Village of Hawthorn Woods  
16 to B Retail Business/Commercial District in Hawthorn Trails  
17 Phase 3 Subdivision approximately 4.4 acres located generally  
18 at the northeast corner of the intersection of Quentin Road and  
19 Illinois Route 22. Do we have that motion?  
20 TRUSTEE DIMAGGIO: So moved.  
21 MAYOR MANCINO: And a second, please?  
22 TRUSTEE CORRIGAN: Second.  
23 MAYOR MANCINO: Any question on this item?  
24 TRUSTEE RIESS: What's the -- it looks like we've got

1 four potential units at about 40,000 square feet apiece in the  
2 retail space; is that correct?  
3 MAYOR MANCINO: That sounds about right.  
4 TRUSTEE RIESS: So what's our floor-area ratio then for  
5 that area?  
6 MR. CASSATA: The FAR being .25.  
7 TRUSTEE RIESS: It's .25. Okay.  
8 And did they request anything more? Or was  
9 that our idea? Their idea?  
10 MR. CASSATA: It's actually a reduction from the previous  
11 annexation agreement. We did the math, and that seems to be  
12 the sweet spot.  
13 TRUSTEE RIESS: Got it. Thank you.  
14 MAYOR MANCINO: Any other questions on this item?  
15 TRUSTEE PONZIO: Just to make a note that before we  
16 approve this it comes again to the planning commission and the  
17 board, any of these four commercial developments.  
18 MAYOR MANCINO: That is correct. They can't just do  
19 whatever.  
20 TRUSTEE PONZIO: Right.  
21 MAYOR MANCINO: Any other questions on this item or  
22 discussion?  
23 (No response.)  
24 Appreciate all the hard work here, guys.

1 Ms. Lobaito, can you please take the roll.  
2 TRUSTEE PONZIO: Yes.  
3 TRUSTEE RIESS: Yes.  
4 TRUSTEE MORGAN: Yes.  
5 TRUSTEE CORRIGAN: Yes.  
6 TRUSTEE DIMAGGIO: Yes.  
7 MAYOR MANCINO: Thank you. That motion carries.  
8 The Chair seeks a motion for an approval of  
9 an ordinance granting a special use permit for a planned unit  
10 development plan and plat, granting final subdivision plat  
11 approval, granting final engineering plan approval, granting  
12 final landscape approval, and granting certain relief from the  
13 village zoning ordinance, subdivision control ordinance, and  
14 building regulation ordinance-Foxford Communities-Hawthorn  
15 Trails Phase 3-northeast corner of the intersection of Illinois  
16 Route 22 and Quentin Road.  
17 You guys write long motions. We've got to  
18 work on our motion-writing.  
19 Do we have that motion?  
20 TRUSTEE PONZIO: So moved.  
21 TRUSTEE DIMAGGIO: Second.  
22 MAYOR MANCINO: Related, are there questions on this  
23 motion, guys?  
24 TRUSTEE DIMAGGIO: Can you repeat the motion?

1 (Laughter.)  
2 TRUSTEE RIESS: What he says.  
3 MAYOR MANCINO: There being no questions, Ms. Lobaito,  
4 can you please take the roll.  
5 TRUSTEE PONZIO: Yes.  
6 TRUSTEE RIESS: Yes.  
7 TRUSTEE MORGAN: No.  
8 TRUSTEE CORRIGAN: Yes.  
9 TRUSTEE DIMAGGIO: Yes.  
10 MAYOR MANCINO: Thank you. That motion carries.  
11 The Chair seeks a motion for the approval of  
12 an ordinance authorizing the acceptance of the covenants for  
13 Hawthorn Trails Phase 3 Homeowners' Association-Foxford  
14 Communities-Hawthorn Trails Phase 3 Subdivision.  
15 TRUSTEE DIMAGGIO: So moved.  
16 TRUSTEE CORRIGAN: So moved.  
17 MAYOR MANCINO: I think that's 1 and 2 there.  
18 Any questions or comments on this?  
19 I did not read all those covenants of the  
20 homeowners, but this is general practice.  
21 TRUSTEE RIESS: They looked pretty organized.  
22 MAYOR MANCINO: Yep, they did.  
23 Ms. Lobaito, can you please take the roll.  
24 TRUSTEE PONZIO: Yes.

1 TRUSTEE RIESS: Yes.  
2 TRUSTEE MORGAN: Yes.  
3 TRUSTEE CORRIGAN: Yes.  
4 TRUSTEE DIMAGGIO: Yes.  
5 MAYOR MANCINO: Thank you. That motion carries.  
6 Number 6, the Chair seeks a motion for the  
7 approval of an ordinance granting a special use permit for  
8 display homes-Foxford Communities-Hawthorn Trails Phase 3  
9 Subdivision.  
10 TRUSTEE CORRIGAN: So moved.  
11 TRUSTEE RIESS: Second.  
12 MAYOR MANCINO: Thank you.  
13 Any questions on the model homes?  
14 TRUSTEE CORRIGAN: Are they going -- are they going to do  
15 the models so that they have maybe two in lots 20 through 39  
16 and two in lots 1 through 19 so it shows the two different  
17 areas?  
18 MR. CASSATA: Yes, that's correct.  
19 MAYOR MANCINO: So they've selected those lots, right?  
20 MR. CASSATA: Yes, I believe they did.  
21 MR. MURPHY: Good evening. Charlie Murphy, Icon Building  
22 Group.  
23 The question in regard to the models and  
24 location, at this point in time we plan on doing two models for

1 the cluster, two on the inside and two on the outside.  
2 MAYOR MANCINO: So four models.  
3 MR. MURPHY: Four models, correct. That's the plan.  
4 MAYOR MANCINO: Great.  
5 TRUSTEE CORRIGAN: Great. Do you know which lot numbers  
6 yet, or no?  
7 MR. MURPHY: We don't have it worked out yet. We'll kind  
8 of decide that once we have a plan of attack on the  
9 improvements.  
10 MAYOR MANCINO: You're also envisioning specific lots  
11 that are easy to see.  
12 TRUSTEE CORRIGAN: Right.  
13 MR. MURPHY: Yes.  
14 MAYOR MANCINO: I'm sure they'll want to do that as well.  
15 MR. MURPHY: Absolutely. But with the timing of the  
16 spring, Mother Nature is going to play a large part on how that  
17 unfolds.  
18 TRUSTEE CORRIGAN: Thank you.  
19 MAYOR MANCINO: Any other questions or comments?  
20 (No response.)  
21 Then, Ms. Lobaito, can you please take the  
22 roll.  
23 TRUSTEE PONZIO: Yes.  
24 TRUSTEE RIESS: Yes.

1 TRUSTEE MORGAN: Yes.  
2 TRUSTEE CORRIGAN: Yes.  
3 TRUSTEE DIMAGGIO: Yes.  
4 MAYOR MANCINO: Thank you. That motion carries.  
5 The Chair seeks a motion for the approval of  
6 an ordinance authorizing the execution of Hawthorn Trails Phase  
7 3 Subdivision improvement agreement-Foxford Communities.  
8 TRUSTEE PONZIO: So moved.  
9 MAYOR MANCINO: And a second?  
10 TRUSTEE DIMAGGIO: Second.  
11 MAYOR MANCINO: Any discussion on this item?  
12 (No response.)  
13 Ms. Lobaito, can you please take the  
14 roll.  
15 TRUSTEE PONZIO: Yes.  
16 TRUSTEE RIESS: Yes.  
17 TRUSTEE MORGAN: No.  
18 TRUSTEE CORRIGAN: Yes.  
19 TRUSTEE DIMAGGIO: Yes.  
20 MAYOR MANCINO: Thank you. That motion carries.  
21 Excellent. Hey, I really thank you guys for  
22 your hard work. Staff, thanks for all the work on this. I  
23 know this project has been a long time coming.  
24 MR. KELLOGG: I personally was just wanting to thank you,

1 as the board, plan commission, and especially the staff. It's  
2 been a great experience working with you all.  
3 MAYOR MANCINO: Yeah. Appreciate it.  
4 \* \* \* \* \*  
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