

MINUTES OF THE BOARD MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 22nd DAY OF SEPTEMBER 2005

CALL TO ORDER Mayor Thomas P. Hyde called the meeting to order at 7:31 pm. Those present stood and pledged allegiance to the flag.

ROLL CALL Roll call indicated the following present: Trustees Deborah Herrmann, Thomas Martin and Dan Schmidt.

Also in attendance was: Police Chief Don Bero; Frank DeSort, Building Department; Willie Kootstra, Public Works; Connie Mascillino, EMA Director; Bob Carpenter, Lake Management; Kevin Sutherland, Baxter & Woodman; and Sharon Hyde, Creative Playtime.

CORRESPONDENCE:

None presented.

APPROVAL OF MINUTES

Motion by Trustee Herrmann, properly seconded to approve the August 11th, August 25th, September 1st and September 8th meeting minutes.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Martin and Schmidt
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried.

COMMITTEE REPORTS

1. BUILDING, ZONING AND ORDINANCE

Trustee Herrmann read the building report for the month of August. Total building fees \$65,868.17 and total water connection fees \$26,210.00. There were 60 permits issued, total electrical compliance inspections \$950.00 and total rental inspections \$100.00. Total fees collected \$93,128.17.

Motion by Trustee Schmidt, properly seconded to approve the BUILDING, ZONING AND ORDINANCE report as presented by Trustee Herrmann. Upon voice vote, motion was unanimously declared carried.

2. FINANCE AND ADMINISTRATIVE

Clerk Kaczmarek read the Finance and Administration report for the month of August. Garbage bills were due on August 25th and late notices were sent out. 32 residents have had garbage pick up suspended for non-payment. 9 red tags were posted for shut off and all have paid or made payment arrangements. Water bills were sent out for Section B. There were 31 move outs in August. John Little and Mayor Hyde met with SWALCO and Waste Management in preparation for the new collection guide that will be mailed to all residents. John Little and Mayor Hyde met with McHenry and Wauconda Superintendents to hand over school impact checks collected. John Little has interviewed applicants for the part time position in the office. John Little met with the village auditors Bark and Assoc. to finalize the GASB 34 as well as he met with Rich Garling, web site designer, to discuss the Village website.

Motion by Trustee Herrmann, properly seconded to approve the FINANCE AND ADMINISTRATIVE report as presented by Clerk Kaczmarek. Upon voice vote, motion was unanimously declared carried.

3. POLICE AND PUBLIC SAFETY

Chief Bero summarized the POLICE AND PUBLIC SAFETY activity report for the month of August. Calls for service totaled 1033, criminal offenses 69, criminal arrests 8, ordinance violations 88, traffic citations 221, accident reports written 22, warrants served 3, p-tickets 49 and warning tickets 11. Total monies received from Lake County \$5684.42, \$15,302.65 year to date, total McHenry County \$1471.07, \$47,567.19 year to date, total p-tickets \$1263.33, \$9,754.32 year to date, report copies \$98.20 and miscellaneous fees collected \$2155.71.

Motion by Trustee Herrmann, properly seconded to approve the POLICE AND PUBLIC SAFETY report as presented by Chief Bero. Upon voice vote, motion was unanimously declared carried.

4. PARKS, RECREATION AND EDUCATION

Mayor Hyde presented the report. Creative Playtime: 138 students enrolled in the 2005-06 classes with 38 openings, total revenue \$16,918.94. Orientation Night was held on Tuesday, September 6th at 7 pm and attended by 123 parents. Visitation Days were held on Wednesday, Thursday and Friday, September 7th, 8th and 9th. Classes began the week of September 12th.

Recreation Department: revenues to date are \$39,895.00, Club Program revenue to date is \$56,397.00. The 9-11 event went very well and was well attended. The Touch a Truck is October 8th and has been moved to Converse Park. Flight for Life is scheduled to arrive between 10 and 12. The Trunk or Treat program is set for Saturday, October 22nd and the Holiday Craft Faire is Saturday and Sunday, November 19th and 20th. Recreation Department is working on the winter/spring brochure.

Motion by Trustee Herrmann, properly seconded to approve the PARKS, RECREATION AND EDUCATION reports as presented by Mayor Hyde. Upon voice vote, motion was unanimously declared carried.

5. PUBLIC WORKS

Trustee Schmidt summarized the Public Works report for the month of August: Blacktop and concrete repairs continue and for the month of August the crews put down 51 tons of blacktop, over 143 tons for the season so far and for the month of August, poured 3.5 yards of concrete. Installed ADA accessible walk in FRS. The Department has had to absorb a rate increase from our uniform company, Cintas, increasing uniform rental to be approximately \$231 for the year. Preparations are underway for the upcoming snow removal and gravel has been applied to road edges in various areas throughout the Village. As requested, placed a no parking sign at the end of Spruce Terrace and installed a Slow Children Playing sign within Highwood Lakes subdivision. Public Works has received numerous calls regarding hornets nests in Village trees. 3 were removed. The bucket truck has been inspected and certified. Public Works assisted with set up and clean up of CornFest and repaired the elephant at Channel Park. Graffiti was removed from the playground equipment at Vista Park. All the Village beaches have been raked and inspected on a daily basis. Trees were mulched throughout Village parks and properties. The Big Island was cut, weedwacked and the brush was trimmed. Graffiti was also removed from the Village Hall, baseball buildings, Frank's car and the salt shed. The new bus was picked up in Kankakee and Public Works completed its portion of running the conduit and installing the concrete pad for the electric upgrade at Village Hall.

Water Department: Completed 66 JULIE locations, installed new chlorinators at the Fox River Shores Water Treatment Plant, replaced the airlines for well 4-6 and replaced the public works office windows. Completed quarterly meter readings for the original section of town. Handed out and mailed water service hook up deadline reminder letters to 14 homeowners impacted by the CDBG 2003. Drained and refilled hot water tanks in the Creative Playtime Wing, replaced the 10 " diameter raw water master meter at the softening plant and replaced 13 residential water meters. Turned on the water at Converse Park for the soccer field sprinkler system, replaced bolts on water main valves on Giant Oaks Drive and on Roberts Road and witnessed the water main pressure test, chlorination and sample collection for the first section of the Prairie Woods subdivision. Total gallons pumped for August: 22.5 million, average gallons per day 724 thousand, peak day gallons 1 million and total number of services 2,830.

Motion by Trustee Martin, properly seconded to approve the PUBLIC WORKS report as presented by Trustee Schmidt. Upon voice vote, motion was unanimously declared carried.

6. ECONOMIC DEVELOPMENT

Mayor Hyde summarized the Economic Development report for the month of August: BT Land has met with the Plan Commission several times and the Public Hearing was held on Tuesday, September 20th. BT Land will be looking to come before the Board for a vote most likely in October. Steve Futura is requesting a variation and will also be coming before the Board shortly. The paperwork for the 112 N. Circle acquisition is being worked on.

Motion by Trustee Herrmann, properly seconded to accept the report for ECONOMIC DEVELOPMENT as presented by Mayor Hyde for the month of August. Upon voice vote, motion was unanimously declared carried.

CONSENT AGENDA

Items for approval:

- 1. Approval of signage for St. John Church Community Health Fair October 22, 2005*
- 2. Approval of Lions Club Candy Day October 15th – 17th*
- 3. Approval of Salvation Army Kettle Days and bell ringing November 18th through December 24th*
- 4. Approval of Misericordia "Tag Day" April 28th and April 29th, 2006*

Motion by Trustee Martin, properly seconded to accept the consent agenda for month of August. Upon voice vote, motion was unanimously declared carried.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Martin and Schmidt.

NAYS: None

ABSENT: Trustees Becker and Hellman

ABSTAIN: None

Motion was declared carried.

AGENDA ITEMS

- 1. Approval of Resolution 518-05 Appointing Municipal Attorneys Ancel, Glink, Diamond, Bush, DiCianni & Rolek for the Village of Island Lake*

Mayor Hyde stated that Adam Diamond of Diamond & LeSueur would remain as the Village's representation in traffic court but he has decided to appoint new attorneys for the other items to be handled for the Village. Trustee Martin questioned the price structure for the proposed attorneys and Mayor Hyde clarified the costs. Trustee Schmidt asked Mayor Hyde why he has decided to appoint new attorneys and Mayor Hyde responded that this law firm has better depth and can better represent the Village in many areas including situations with the Union. The Mayor stated that he has made the decision to make a change. Mayor Hyde stated that Ancel, Glink is a more in-depth law firm, a premium law firm and of greater value to the Village of Island Lake.

Motion by Trustee Herrmann, properly seconded to approve Resolution 518-05 appointing Municipal Attorney Ancel, Glink, Diamond, Bush, DiCianni & Rolek for the Village of Island Lake.

Upon roll call, Trustees voted as follows:

AYES: Trustee Herrmann

NAYS: Trustees Martin and Schmidt

ABSENT: Trustees Becker and Hellman

ABSTAIN: None

Motion was declared not carried.

2. Appointment of Matt Huff to the vacant Trustee seat

Trustee Schmidt stated that he received in his mailbox today a letter from a resident who would like to be considered for the open Trustee seat and that he would like to speak with this woman before the Board proceeds with filling the vacant seat. Trustee Martin stated that he also received a letter from the same woman and went on to read her credentials out loud. Mayor Hyde stated that he is recommending appointing Matt Huff to the seat for a variety of reasons such as the fact that Mr. Huff was a previous Trustee, he was the next one in the election with the most votes and so on. Trustee Schmidt stated that he does not question Mr. Huff's abilities but he is intrigued by this letter that he received and would like to speak to this woman.

Motion by Trustee Martin, properly seconded to approve the appointment of Matt Huff to the vacant Trustee seat.

Upon roll call, Trustees voted as follows:

*AYES: Trustee Herrmann
NAYS: Trustee Martin and Schmidt
ABSENT: Trustees Becker and Hellman
ABSTAIN: None*

Motion was declared not carried.

3 Appointment of Tom Bauer to the Island Lake Plan Commission

Motion by Trustee Martin, properly seconded to appoint Tom Bauer to the Island Lake Plan Commission.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Becker and Hellman
ABSTAIN: None*

Motion was declared carried.

4. Approval of a Beach House security system from one of two bids: ADT for \$4216 or JustCom for \$4116

Mayor Hyde asked Kevin Sutherland of Baxter & Woodman about the drywell that was previously being considered for the Beach House. Mr. Sutherland stated that a drywell is not needed and that it would not improve the drainage situation at the Beach House. Mayor Hyde said that there is a grant check for \$30,000 in the mail for the Village to use for the Beach House. It was stated that there were 2 vandalisms at the Beach House in the past two weeks and that a security system would have hindered this from happening and will deter things like this from happening in the future. Trustee Martin questioned that there are already items that are earmarked for this money and Mayor Hyde agreed that there are previous expenses that need to be paid back for work on the Beach House but added that this is an extra \$30,000 coming in. Trustee Martin stated that he could not find a website for JustCom, he received the new contract with the new dates but can't seem to find any further information on the company. Trustee Martin stated that he has not seen the \$30,000 come into the Village yet and he would like to talk to John Little as he thought the money was spent already including money for gutters, a drywell, etc. Mayor Hyde reminded Trustee Martin that Mr. Sutherland said a drywell is not needed. Trustee Schmidt asked the Mayor if the money is in the budget now for a security system and the Mayor replied that it is. Trustee Martin inquired who would be monitoring the security system. Mayor Hyde stated that the Police Department and the Recreation Department would take care of watching the security system. Trustee Martin asked if the Beach House is open right now and Mayor Hyde replied that it is not because the beaches are closed for the season. Trustee Martin questioned why it's a rush to purchase a security system since the building is closed anyway. Mayor Hyde said that the building obviously needs to be protected especially since the break-ins.

Trustee Martin stated that he does not see this as a priority and would rather have something like windows replaced in the Village Hall, near Creative Playtime, instead as they are falling apart and molding. Willie Kootstra stated that the \$30,000 of grant money is coming in and that there will be about \$14,000 left over to spend on items for the Beach House. He also stated that the grant money could only be used at Veteran's Park.

Motion by Trustee Schmidt, properly seconded for approval of the Beach House security system from ADT in the amount of \$4216.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann and Schmidt
NAYS: Trustee Martin
ABSENT: Trustees Becker and Hellman
ABSTAIN: None*

Motion was declared carried.

5. Approval of Baxter & Woodman Pavement Management report for \$8,000.00

Motion by Trustee Martin, properly seconded to approve the Baxter & Woodman Pavement Management report for \$8,000.00.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Becker and Hellman
ABSTAIN: None*

Willie Kootstra stated that Baxter & Woodman were hired in the past to do the 1999/2000 report. The report details the procedures that need to take place, the on going maintenance of the roads, plans to upgrade the roads, etc. The report this time is less expensive due to the fact that Baxter & Woodman already completed the mapping.

Motion was declared carried.

6. Approval of \$8,800 to Baxter & Woodman to update the Village of Island Lake Master Water Plan

Mayor Hyde stated that this is critical as the report goes through the water flow testing of the entire system and that it is critical to understand the systems capabilities and what it can and can not handle. The money is in the budget, is part of the on-going plan and completes all the testing for future developments.

Motion by Trustee Martin, properly seconded to approve payment of \$8,800 to Baxter & Woodman to update the Village of Island Lake Master Water Plan.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Becker and Hellman
ABSTAIN: None*

7. Approval of \$12,800 for design and \$9,900 for construction services for Rooney Construction's proposal for the CDBG 2005 on Southern Terrace between Woodlawn and Eastway, Sumac Avenue and Woodbine Avenue.

Motion by Trustee Martin, properly seconded to approve the \$12,800 for design and \$9,900 for construction services for Rooney Construction's proposal for the CDBG 2005 on Southern Terrace between Woodlawn and Eastway, Sumac Avenue and Woodbine Avenue.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Becker and Hellman
ABSTAIN: None

Motion was declared carried.

8. Approval to go out for bids for 42 X 14 Westridge Wellhouse garage addition and re-roofing at the Dartmouth Drive pump house and Waterford Treatment Plant

Motion by Trustee Martin, properly seconded to approve to go out for bids for 42 X 14 Westridge Wellhouse garage addition and re-roofing at the Dartmouth Drive pump house and Waterford Treatment Plant

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Becker and Hellman
ABSTAIN: None

Motion was declared carried.

9. Approval of intergovernmental agreement between Island Lake and Solid Waste Management in regards to recycling

Motion by Trustee Martin, properly seconded to approve the intergovernmental agreement between Island Lake and Solid Waste Management in regards to recycling

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Becker and Hellman
ABSTAIN: None

Motion was declared carried.

10. Approval to appoint Trustee Eberhard Becker as Director to SWALCO for the Village of Island Lake and John Little and Willie Kootstra as alternatives

Motion by Trustee Martin, properly seconded to approve Resolution 519-05 for the appointment of Trustee Eberhard Becker as Director to SWALCO for the Village of Island Lake and John Little and Willie Kootstra as alternatives

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Becker and Hellman
ABSTAIN: None

Motion was declared carried.

ITEMS FROM THE MAYOR

- Mayor Hyde stated that he passed out to the Board the First Detection System quotes. The Village obtained a \$2500 donation from ComCast which is to be used for a camera system, audio upgrade, etc., in the Board Room. The quote includes two cameras but the system is not cable ready. For cable ready, another system was suggested in which the camera can zoom in and out and the cost would be around \$2717.

- *Mayor Hyde announced that the Village is working on the 2006 vehicle and marine stickers. 600 drawings were received from the children at Cotton Creek School. Two winners have been chosen and there are three runner ups. Mayor Hyde and Clerk Kaczmarek will be presenting the children with their awards at a school program on October 4th.*
- *Mayor Hyde stated that he passed out to the Board information about the open meetings act and a statement that could be added to emails coming from the Village, Trustees, etc.*
- *A memo was presented to Mayor Hyde from Joe Munson who was asking for use of the Village Board Room for a Candidates Night. Trustee Martin stated that he would like to keep politics out of the Board Room and does not feel Village Hall is an appropriate place for this event. Trustee Schmidt agreed.*
- *Mayor Hyde said that a memo was given to everyone from John Little regarding the Village phone system as there were messages left on the system from 5 years ago.*
- *A Wauconda High School Fall sports schedule was provided to the Board Members as well as Mayor Hyde pointed out our Village ad on the brochure.*
- *The Holiday schedule was completed with John and provided to everyone.*
- *Charles Amrich has submitted a monitoring well permit request and a basic price for the permit needs to be decided upon by the Board. Frank DeSort stated that the Board needs to set the fee as there is no set amount attached to the ordinance and recommended \$25. The Trustees agreed to the fee of \$25.*
- *John Little and Mayor Hyde are working on developing and finalizing a Waste Recycling Guide for the Village. A proof should be back shortly and eventually copies will be sent out by Solid Waste to the Village residents.*
- *Mayor Hyde stated that Trustees Schmidt and Herrmann as well as the Mayor himself and Clerk Kaczmarek will be attending the Illinois Municipal League conference on September 23rd and 24th.*

ITEMS FROM THE TRUSTEES AND DEPARTMENT HEADS

- *Trustee Herrmann stated that she is once again very disappointed that the vacant Trustee seat has not been filled. She stated that she needs to work with Frank DeSort on updating ordinances and that it is just not happening without the committee assignments. Trustee Herrmann asked for permission to meet with Mr. DeSort to work on ordinance changes that need to take place. Mayor Hyde agreed that this is necessary and expressed that he too is disappointed and has been trying to fill empty seats for months. He added that he would like to, when the Board is complete, sit down and have a planning meeting with the full Board so that the Village can move forward, set guidelines, etc. Trustee Martin stated that since April none of the Trustees have been assigned to committees and feels that his time is being wasted. He added that the voters put the Trustees up there and committees need to be assigned.*
- *Trustee Schmidt stated that he would like to see a rule put in place that cell phones are to be turned off in the Board Room during meetings. Trustee Schmidt apologized for holding up the appointment of Matt Huff but again stressed that he would like to give fair consideration to everyone who submits a letter and would like the opportunity to talk to the woman who recently submitted a letter to the Board. He expressed concern with the sales taxes that are being generated from Crystal Valley RV especially with almost their entire lot being cleared out and going to FEMA. Mayor Hyde welcomed Trustee Schmidt to go ahead and talk to Crystal Valley RV.*
- *Trustee Martin stated that he received a letter from NCEN and that they will be cleaning up the playground on October 1st and 2nd. They will be restaining, fixing and repairing posts, etc. They are looking for volunteers to help. Trustee Schmidt stated that he would be available to help.*
- *Kevin Sutherland of Baxter & Woodman offered his assistance to Trustee Herrmann with ordinance development. Trustee Schmidt offered his help as well and Trustee Herrmann stated that Trustee Hellman had also offered his help before the election even with writing ordinances.*
- *Chief Bero said that the new radio system is in the process of being installed and that there is a Radicom meeting tomorrow.*
- *Bob Carpenter stated that he has been stopped several times on the lake regarding the use of the decibel meter. Chief Bero said it has been calibrated and is now working just fine. Mr. Carpenter said that the Fire Department held an exercise class on a mock drowning at the Beach House. He said that everyone learned a lot and that it was a very valuable lesson. Mr. Carpenter said the Lake Management committee met last night and they have decided to table the boat purchase. He asked the Mayor about the orange fencing near the Beach House. Mayor Hyde said that the Scout working on this project to install the bricks is in process with the paperwork to allow him to be able to do this*

Project along with his Troop. Mr. Carpenter said that there were 24 sand bags removed from under Gate 3, 21 are on the bank but that there are 100 to 200 more still out there. He stated that the lake is 22 inches low from the normal lake height. Mr. Carpenter presented to the Board an example of a stone for retaining/retention – each are 105 lbs. He is asking to have \$2000 transferred into their account so that these bricks can be purchased and placed along the lake for shoreline stabilization. Mr. Carpenter stated that retention walls would be built 110 linear feet, 3 feet high, 5 inch gravel base and then there would be a cement cap put into place at the top.

Motion by Trustee Martin, properly seconded to open the meeting to the floor. Upon voice vote, motion was unanimously declared carried.

Terry Fleissner, 128 Southern Terrace: Mr. Fleissner inquired about the dates of several upcoming Village events: The Touch a Truck is October 8th from 10 am to 12 noon at Converse Park, October 8th is also the SWALCO recycling program at Cotton Creek School, the Trunk or Treat program is on October 22nd from 1 pm to 3 pm. Mr. Fleissner then questioned resident Rich Garling on the registering of his business. Mr. Garling stated that he is registered with McHenry County and that he even ran an assumed name ad to make sure the company name was clear and was not being used already.

Mike Herrick, Island Lake Plan Commission: Mr. Herrick stated that the Public Hearing with BT Land went very well and that BT Land, RHA Homes and the attorneys were all present along with the Plan Commission Members and Clerk Kaczmarek. He added that there were concerns from the residents regarding traffic issues and that they were discussed thoroughly. Mr. Herrick stated that everyone was unbelievably professional and that he has never seen such a presentation and group be so thorough and professional. He stated that 99% of the questions were answered before they were even asked from such a thorough presentation. He added that there is now a very nice park that was added to the center of the development in which now the houses have something nice to look at and enjoy. Mr. Herrick stated that he hopes that the Mayor and Board of Trustees will research everything thoroughly before BT Land comes before the Board for approval. He added that the level of professionalism needs to be brought up by this very Board much like what went on the other evening during the Public Hearing with BT Land and that the Village Board needs to really get it together.

Motion by Trustee Martin, properly seconded to bring the meeting back to the board. Upon voice vote motion was unanimously carried.

Mayor Hyde asked to adjourn to Executive Session for the purpose of discussing litigation and the Union. Tom DiCianni of Ancel, Glink was asked to join the Board in Executive Session. Motion by Trustee Martin, properly seconded to adjourn to Executive Session at 9:01 pm

Motion was declared carried.

Motion to come out of Executive Session and to return to the regular meeting by Trustee Herrmann, properly seconded, at 9:25 pm.

Mayor Hyde expressed his frustration with the Board Members not approving new legal representation for the Village of Island Lake. Trustee Schmidt stated that all he heard was that Mayor Hyde chose to appoint a new law firm because it is his feeling that a new law firm is needed. Examples were provided to the Board Members by Mayor Hyde, Trustee Herrmann and Clerk Kaczmarek as to what their frustrations are with the current legal representation by Diamond & LeSueur. Trustee Schmidt questioned why all this was not stated ahead of time. Mayor Hyde stated that he wanted to handle this professionally and that he felt it was obvious why Diamond & LeSueur were being replaced. Trustee Herrmann stated to Trustee Schmidt that he knew about this law firm being on the agenda on Tuesday and that it is his responsibility as well as every Trustees responsibility to do his/her own research and talk to the Mayor and other Trustees before the meeting. Mayor Hyde again expressed his frustration and stated to the Trustees that maybe they would each like to take and help handle all the legal items going on with the Village from here forward since two Trustees did not approve the new law firm and appear to want to work with Diamond &

LeSueur. Trustee Schmidt suggested that maybe the new law firm be tested for a year to see how it goes or just use them for certain instances going on.

Motion by Trustee Martin to adjourn the meeting, properly seconded. No further business was discussed. Meeting was adjourned at 9:40 pm.

Christine Kaczmarek, Village Clerk