

MINUTES OF A REGULAR MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 14th DAY OF DECEMBER 2006

CALL TO ORDER Mayor Thomas P. Hyde called the meeting to order at 7:30 pm. Those present stood and pledged allegiance to the flag.

ROLL CALL Roll call indicated the following present: Trustees Becker, Herrmann, Huff, Guido, Schmidt and Stiller.

Also in attendance was: Captain Joseph Arrizzi, Wauconda Fire Department; Willie Kootstra, Public Works; and Connie Mascillino, EMA Director.

Pledge to the Flag

Correspondence - Clerk Kaczmarek presented a letter submitted by Wauconda High School POMS who are looking for a donation. The Board agreed that they prefer to support the school in more general terms/events rather than single out and donate to particular organizations within the school.

Approval of Minutes – Approval of Minutes – November 2, 2006, November 9, 2006, November 30, 2006 and December 7, 2006

Motion by Trustee Stiller, properly seconded to approve meeting minutes from November 2, 2006, November 9, 2006, November 30, 2006 and December 7, 2006. All aye.

COMMITTEE REPORTS

1. BUILDING, ZONING AND ORDINANCE

Trustee Herrmann read the building report for the month of November: Total building permit fees \$3644.00, total water connection fees \$130.00 and total permit fees \$3774.00.00. There were 31 permits issued. Total receipts for electrical compliance inspections \$300.00, Ordinance Violations received \$70.00. Total fees for the month of November collected were: \$4,144.00. Total permits issued YTD: 532 and Total fees collected YTD: \$467,604.00.

Trustee Becker questioned some of the numbers reported between Building and then Administration. Trustee Herrmann stated that she would speak to Frank DeSort and get an answer for Trustee Becker and the other Board Members. Trustee Becker said that there are 19 move ins/outs and that it would then have to match the electrical compliance inspections completed. Trustee Huff commented that it probably depends upon when the receipts are actually posted. Trustee Herrmann stated that there could be an overlap as well.

Motion by Trustee Huff, 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

Trustee Huff read the Finance and Administration report for the month of November: 41 resident have had garbage pick suspended for non payment, 23 red tags were posted for shut off and all paid or made payment arrangements, 19 residents moved into and out of the village in November, garbage bills were due and late notices have been sent, Karen attended a meeting with Waste Management representatives and others from surrounding municipalities to discuss problems and offer suggestions for improving service and communication between residents, John has started working with the auditors in preparation for the fiscal audit, John has been involved with the police negotiations and Section B water bills have been sent and are due January 9th.

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

3. POLICE AND PUBLIC SAFETY

Trustee Guido summarized the POLICE AND PUBLIC SAFETY activity report for the month of November: 977 calls for service, 53 criminal offenses, 18 criminal arrests, 80 ordinance violations, 0 ordinance arrests, 143 traffic citations and 22 accidents reported, 2 warrants served, 26 parking tickets issued and 1 warning ticket issued. Lake County courts collected \$2,805.00. McHenry County courts collected \$9,021.00. Parking tickets \$565.00. Report copies \$60.00. Miscellaneous \$3,230.47. Total \$15,681.47. There were 32 assists to other police agencies, 25 assists to the Fire Department and 2 assists to Public Works.

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

4. PARKS, RECREATION AND EDUCATION

Trustee Schmidt presented the report for the month of November: Parks and Recreation: 156 enrollees, Revenue \$59,046.00. Club has a total of 66 students, revenue \$99,465.90. Winter/Spring Guide is in the mail. Recreation is working on Child Care Tax Statements. They are also working with Homeowners groups for room usage in 2007. Winter Wonderland is scheduled for Saturday, December 16th from 2:30 pm to 4:30 pm. Flyers have been sent out to schools and surrounding areas for current activities. There is a small piano concert and Holiday party planned for the Seniors for December 22nd at 1 pm. The Holiday Lighting contest winners will be announced on Saturday at Winter Wonderland.

Creative Playtime: 141 enrollees with 35 openings. The office worked on the Recreation Guide which was just mailed. Changes were made in an attempt to better market the preschool classes. The candle fundraiser sold a very limited amount of candles this year. Revenue and expenses available next month. Children's portraits were received before Thanksgiving and the profit from this fundraiser was \$282.20. The shirt and tote bag orders arrived. Revenue and expenses available next month. All classes celebrated Holiday parties. The last day of preschool is December 8th and classes will resume on January 2nd. Total revenue: \$48,859.64. Expenses October 31, 2006 through December 9, 2006 \$48,478.13.

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

5. PUBLIC WORKS

Trustee Stiller summarized the Public Works report for the month of November: Snow and ice control was done as needed. Only one snowfall thus far amounting to about 10 inches of snow. Several calls were received regarding the piling of snow at sidewalk crossings. Public Works will be changing their methods to limit amount of snow placed at sidewalk crossings. Final asphalt work for the season was completed at Janet Drive and Midway Drive. Preparations have started for next year's road project. The first snowfall resulted in the sledding hill being opened at Converse Park. Weather permitting – it's opened and closed. The ice skating rink frame has been installed. All "no wake" buoys have been power washed and stored. Public Works completed the hot water issue in the Senior Center. Continue to work on the "Land Use Permit" at Converse Park for NMWRD. Once completed, it will be forwarded to the Board for approval then forwarded to IDNR for approval. The purchase of a new truck is being worked on. The state purchase contract was only open for a period of about 2 weeks.

Water Department: Completed quarterly meter readings for the original section of town. Handed out 20+ red tags for delinquent water bill payments. Installed a new chlorinator at the Westridge Water Treatment Plant and blew out the vent lines and installed a rebuilt injector and rotometer. Replaced the chlorine booster pump at the Westridge Water Treatment Plant. Climbed the Westridge Water Tower to inspect the fill pipe insulation. Visited the CDBG 2006 water main replacement project to discuss the preliminary engineering and layout of the project. Bid letting should take place this winter and construction is slated to begin next spring or early summer. All water department employees attended a hydrant and valve maintenance seminar by American Flow Control. Met with Berger excavating to fill the first 2,660 lineal feet of 12" and 8" water main for Walnut Glen subdivision. The entire Burnett Road water main was

placed into service on November 16th after successful pressure testing, disinfection and bacteriological analysis. Total gallon pumped: 16.5 million, Peak day gallons: 758 thousand and Total number of services: 2,855.

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

6. ECONOMIC DEVELOPMENT

Trustee Becker verified that everyone received the forwarded email from Mayor Hyde listing available commercial property in Island Lake. Trustee Becker stated that he would like to see a link placed on our Village website, to Lake County Partners, which lists our available commercial spaces in town. Clerk Kaczmarek stated that John Little told her that there are no more funds in the budget to spend towards enhancing our Village website this year. She suggested possibly a page be added to the website instead as that would not cost as much as a link. Clerk Kaczmarek will work on it and speak with the Village web coordinator.

Motion by Trustee Stiller, properly seconded to approve the Economic Development report as presented by Trustee Becker. Upon voice vote, motion was unanimously declared carried.

1

Consent Agenda Items:

1 Items under the Consent Agenda are considered routine and/or non-controversial and will be approved by one motion. If anyone (board member, staff, or citizen) wishes to have a separate vote on any item, it will be pulled from the Consent Agenda and voted on separately.

1. Approve payment of bills

1

Motion by Trustee Stiller, properly seconded to approve the payment of the bills. Trustees voted as follows:

AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was declared carried.

1

1

1 Agenda Items:

1

1. Approval to use new auditing firm, Lauterbach & Amen, for the Village of Island Lake

Trustee Becker verified that the Village once again has not heard back from the original auditing firm and Mayor Hyde stated that the Village has not.

Motion by Trustee Herrmann, properly seconded to approve to use new auditing firm, Lauterbach & Amen, for the Village of Island Lake.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was declared carried.

2. Approval of Intergovernmental Agreement between Lake County Transportation and the Village of Island Lake for County participation

Trustee Stiller explained that Lake County was originally looking for Island Lake to participate in the amount of \$231,000. John Little, Frank DeSort and Clerk Christy Kaczmarek met with Lake County and negotiated the contract costs down to \$75,000 for the Village of Island Lake. Trustee Stiller thanked them for their efforts in such a positive negotiation to save the Village money.

Motion by Trustee Stiller, properly seconded to approve Intergovernmental Agreement between Lake County Transportation and the Village of Island Lake for County participation.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried.

3. Approval of payment #2 to Maneval for the CDBG 2005 in the amount of \$111,849.98

Motion by Trustee Stiller, properly seconded to approve payment #2 to Maneval for the CDBG 2005 in the amount of \$111,849.98.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried.

4. Approval of payment #3 to Maneval in the amount of \$3730.04 for the final payment for the CDBG 2005.

Motion by Trustee Stiller, properly seconded to approve payment #3 to Maneval in the amount of \$3730.04 for the final payment for the CDBG 2005.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried.

5. Approval of payment to Theiland Sand and Gravel in the amount of \$ 18,210.78 for the CDBG 2004.

Motion by Trustee Stiller, properly seconded to approve payment to Theiland Sand and Gravel in the amount of \$ 18,210.78 for the CDBG 2004.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried

6. Approval of amendment number 2 to the Nextel agreement with the Village of Island Lake

Motion by Trustee Guido, properly seconded to table this item.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried

- 7. Approval of Resolution # 530-06 setting the 2007 Committee and Board meetings*

Motion by Trustee Guido, properly seconded to approve Resolution # 530-06 setting the 2007 Committee and Board meetings.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried

- 8. Approval of Ordinance # 1299-06 authorizing Mayor Hyde and Clerk Kaczmarek to initiate and sign a contract selling the village parcel known as Willow Lane PIN 09-21-110-031 to Robert Bless and Amy Ho whose bid was awarded by the Board on December 7, 2006*

Motion by Trustee Herrmann, properly seconded to approve Ordinance # 1299-06 authorizing Mayor Hyde and Clerk Kaczmarek to initiate and sign a contract selling the village parcel known as Willow Lane PIN 09-21-110-031 to Robert Bless and Amy Ho whose bid was awarded by the Board on December 7, 2006

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried

- 9. Approval of agreement between the Village of Island Lake and Illinois Department of Natural Resources regarding the Grand Illinois Trail/Island Lake Segment*

Trustee Schmidt reports that he spoke to his contact at the IDNR and the contract is still in their legal department.

Motion by Trustee Schmidt, properly seconded to table approval of agreement between the Village of Island Lake and Illinois Department of Natural Resources regarding the Grand Illinois Trail/Island Lake Segment

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried

10. Approval of recapture agreement between the Village of Island Lake and Tony Van Delft for the Bassler Drive watermain

The Attorney for Mr. Van Delft, Joel, presented to the Board. He stated that they have been speaking with Kevin Sutherland regarding the issue of a recapture agreement and the fees. Kevin suggested that they come before the Board again as there were some objections at a prior meeting. He stated that there is a piece of property adjoining this property, about 14 acres, that could tie into this system eventually. Joel said that they went through the costs for this project as well as a length of term for a possible recapture agreement. He said sometimes they are as long as 20 years. Mr. Van Delft will be spending anywhere between \$35,000 and \$40,000 on the hook up and the water. Mr. Van Delft felt that possibly the agreement would cover both sewer and water; however, Mayor Hyde pointed out that the Village has no authority on the sewers as it's the Sanitary District which is completely separate. Mayor Hyde asked if they received a recapture agreement with NMWRD for the sewer recapture and Joel replied that they have not. The water main connection is 350 feet the fire hydrant is right on 176. Joel stated that they are also seeking reprieve from the hook up fee or a credit. Trustee Stiller stated that he has a draft copy of an agreement put together by Baxter & Woodman. He is unsure if Attorney Puma has reviewed this agreement yet. Joel stated that he has not seen this draft agreement yet either. Trustee Guido read part of the agreement out loud. Joel said that Mr. Sutherland recommended that they come before the Board to ask for a recapture agreement and the waiving of the hook up fees. Trustee Stiller asked this to be placed on the agenda with the understanding that Attorney Puma would be here this evening and that discussion was taking place between Mr. Sutherland, the Attorney and Mr. Van Delft and his attorney. Trustee Guido stated that the Board has discussed this before and that they have no interest in a recapture and that the Board would not waive the fees but if they wanted to come before the Board to ask, that was fine. Joel stated that they are here this evening then to ask. Trustee Stiller stated that last time the Village was involved in a recapture, the agreement made the hook up extremely expensive. He said that there is a total expenditure for about \$40,000 for water and sewer and if this were a 20 year agreement, with interest, as Joel is recommending, that if someone is looking to tie into this system say 10 years from now, it could be 6 figures. Joel said that they would waive interest. Mayor Hyde stated that the Church has expressed interest in hooking up at some point. The furniture place is also a possibility for hook up. Mayor Hyde liked the fact that Mr. Van Delft is willing to drop the interest. It is unclear how and when the 14 acres will be sold and others will want to hook up. The concern here is the pricing to hook up in the future. Mayor Hyde stated that in looking at this, he is afraid that down the road individuals won't be able to afford to hook up due to the recapture fees which in turn prohibits the sale of possible property. Trustee Guido stated that the letter/agreement says no recapture and commented that this was talked about in a Board meeting already. He added that there is no water there now and he has no idea how Mr. Van Delft is running a business there right now with no water and that the business has been running for months with no water and no sewer. He added that he can't imagine how they are running the business right now with no fire safety, no sprinklers, etc., with the work they are doing there especially without water. He questioned how many months this has been going on. Trustee Guido said that the Boards stance is generally not to waive fees. Joel stated that last time he spoke with Kevin Sutherland, Mr. Sutherland had expressed to him that his feeling was that most of the Board members would not have a problem with this agreement and the understanding they walked away with from the last conversation. Joel said that they have tried to address every concern that the Board has had and they would just like equitable fairness. Mayor Hyde asked for the Boards consideration or no consideration. Trustee Stiller stated that it appears as though he was the only one this evening to have received the draft agreement from Baxter & Woodman and in all fairness to everyone, he would like to table a vote then on this tonight so that the Village Attorney, Mr. Kootstra, etc., have an opportunity to review the agreement and vote on it next month. Trustee Stiller was led to believe that everyone had a copy of this draft agreement. Trustee Huff stated that he would like more information also. November 30th is the date on the draft. Joel said that that's why they are here this evening, to work out something with the Board. Trustee Herrmann stated that she too is not comfortable with this and would like further understanding. Trustee Becker commented that these individuals that Trustee Stiller names need to review this agreement as well as the Board for fairness to all. Trustee Stiller stated that possibly this could be voted on next month if all the appropriate information and paperwork is in and everyone has had the opportunity to review all of it. Mr. VanDelft commented that he would like to actually begin the work on Monday and get going on this project. Trustee Guido suggested how about 50% of the recapture, no interest and a recapture for 5 years. He added that this needs to get done especially since you have a business operating with fire safety hazards and no water.

Motion by Trustee Guido, properly seconded to approve the recapture agreement between the Village of Island Lake and Tony Van Delft for the Bassler Drive watermain upon Village Attorney approval adding in 50% for a recapture fee, no interest and for 5 years.

Trustee Huff questioned the 50% of the recapture. Trustee Guido said it is \$35,000 – take 50% - so it's \$17,000. Trustee Herrmann asked from who and for how long. Joel stated that normally these are 20 years. Trustee Guido said 5 years. Mayor Hyde explained that this is a benefit for many involved here. The person spending the money gets good service and water and it benefits the Village because the water service has been extended and it makes it available for other people that would like to hook up. He added that it is a plus for everyone. Mayor Hyde said he would like to see the interest come off which it has. Trustee Huff expressed that what he is uncomfortable with is that this is a voting meeting and the Board is negotiating when all the information and discussion should have been done prior to voting on this at an earlier meeting. Trustee Herrmann said that she too does not feel informed enough.

Trustee Guido added to the motion 5 years so the motion is approval of the recapture agreement between the Village of Island Lake and Tony Van Delft for the Bassler Drive watermain for 50% recapture, no interest and for a period of 5 years.

Upon roll call, Trustees voted as follows:

AYES: Trustee Guido
NAYS: Trustees Becker, Schmidt and Stiller
ABSENT: None
ABSTAIN: Trustee Herrmann and Huff

Motion was not carried.

Mayor Hyde stated that this did not pass this evening and that Trustees are still needing some information. He recommended that a recapture agreement be looked at again at a future meeting when everyone is comfortable and has all the necessary information.

11. Approval to waive the hook up fee in the amount of \$6390.00 to Tony VanDelft for water service at the Bassler Drive location

Motion by Trustee Huff, properly seconded to table approval to waive the hook up fee in the amount of \$6390.00 to Tony VanDelft for water service at the Bassler Drive location

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Huff, Schmidt and Stiller
NAYS: Trustee Guido
ABSENT: None
ABSTAIN: None

Motion was declared carried.

Mayor Hyde reiterated that the watermain can be put in by Mr. VanDelft and that the tap on fee will need to be paid for upfront and that the Board will come back to these two matters at another meeting. Trustee Huff commented that this is not normally the way the Board does these things and he would like further information.

Items from the Clerk, Trustees and Departments Heads

- Trustee Stiller reported that last week he was charged with making a decision and plan on what to do with raising or lowering of the spill plate. Golden Oaks came to the Board expressing concern with water. Public Works raised the spill plate and within a days time, it went down 3 inches and then the next day it went back up. Flow of water was not expected and after further investigation there was a beaver dam found behind the Hummel property which is restricting the flow. Mr. Kootstra stated that the dam has been there for some time and it needs to be addressed but that this is not Village property, but Mr. Hummels property. Mr. Hummel has not yet been contacted. Mr. Kootstra will speak with Mr. Hummel and report back to the Board.

- Trustee Herrmann requested Executive Session for a personnel matter.
- Trustee Schmidt thanked Clerk Kaczmarek and Karen Luebbers for all their work and efforts towards the Village employee Holiday Party.
- Trustee Schmidt stated that after investigation, Westridge subdivision does not have 5 foot sidewalks and that they are 4 foot.
- Trustee Schmidt reported that the Park and Recreation department is working on a survey of their programs that they offer as well as they are reviewing the Club programs. Feedback is saying that some of the programs could be improved so they are conducting a survey and will make necessary changes to improve particular programs.
- Trustee Becker again mentioned a link to our Village website for available commercial property within our Village. Clerk Kaczmarek stated that John Little reported that there are no monies available to enhance our Village website at this time. It was suggested that possibly a page be added instead of a link to save on costs of set up. Trustee Guido commented that there are monies left in Economic development though that could possibly be used for this. Trustee Stiller expressed concern though that this will be used too for free advertising purposes for these development companies. Mayor Hyde stated that approved developers in our Village could possibly have a link added as well. Funding needs to be reviewed. Much of the Board was in agreement for this to be done and for Lake County Partners information to be used for this and updated possibly monthly as they send over information and updates.

Items from the Mayor

- Mayor Hyde mentioned that Mr. Burhart donated \$400 to the Lake Management fund.
- Mayor Hyde reported that he is receiving responses to his article in the last newsletter regarding individuals that would like to participate in a downtown revitalization program.
- Mayor Hyde acknowledged the efforts put towards the Village employee Holiday party this year. He said that the party was well attended and everyone appeared to have a good time.
- Winter Wonderland is Saturday at Converse Park from 2:20 pm to 4:30 pm
- December 28th a new Police Officer will be sworn in at the meeting, Jeffrey Flemming.
- Mayor Hyde reported that the State vehicle code allows for bicycles to be on sidewalks unless the Village prohibits it
- Mayor Hyde reported that the Island Lake Police Department developed and implemented a mission statement. He asked the Board to also review it and accept it at a later meeting. Trustee Guido stated that this is obviously not necessary as this Department did this on their own and they have put it already into place and all the employees in that Department have already been notified. He added that it should be protocol to come to the Board first before implementing something new.
- Mayor Hyde requested Executive Session for contract negotiations, execution session minute review and personnel

Trustee Guido reports that there have been several letters from residents expressing concern with individuals driving too fast on particular Village roads. He is asking the Board to consider a traffic study to be done by Baxter & Woodman on the roads within the Village along with a review of guidelines for speed limits. He would like to also have input from Mr. Kootstra and Chief Fellmann with this study. Mr. Kootstra stated that the study cost is about \$5900 and Trustee Huff questioned if it is in the budget. Mayor Hyde replied that it is not and would need approval. Trustee Herrmann reported that the Village needs to establish safety and confirm speed limits and make sure all are legally posted. This study would cover speed limit verification. This would document as well as verify and justify why a speed limit is what it is on particular streets.

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

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

There being no further business, motion by Trustee Stiller, properly seconded to adjourn to Executive Session for : 2nd yearly review of Executive Session meeting minutes, Personnel Issues and contract negotiations.

Motion by Trustee Stiller, properly seconded to come back into the Board meeting. Being that no further business was discussed, Motion by Trustee Huff, properly seconded to adjourn the Board meeting. All in favor. Meeting adjourned at 10:00 pm.