

MINUTES OF A REGULAR BOARD MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 25th DAY OF OCTOBER 2007

CALL TO ORDER Mayor Thomas P. Hyde called the meeting to order at 7:30 pm.

ROLL CALL Roll call indicated the following present: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio.

Also in attendance was: Village Attorney Scott Puma and Neal DeYoung, Water Department.

1. Call to order
2. Approval to use financing through the First National Bank of McHenry for the Police Department 2008 Ford Explorer for 36 months at a rate of 4.5%

Motion by Trustee Herrmann, properly seconded to approve financing through the First National Bank of McHenry for the Police Department 2008 Ford Explorer for 36 months at a rate of 4.5%

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried.

3. Approval of cleaning contract with Spic & Span Cleaning Corporation for Village Hall and Police Department

Trustee Ponio inquired if the cleaning service has already been working at the Village and if the employees are satisfied. Trustee Herrmann replied that yes and the department heads are pleased thus far. Trustee Ponio questioned the cost as well as how many years the contract is for. Trustee Herrmann replied that the cost is the same as the last company.

Motion by Trustee Herrmann, properly seconded to approve cleaning contract with Spic & Span Cleaning Corporation for Village Hall and Police Department

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried.

4. Approval to waive raffle permit fee Full Circle Band Show for December 1st

Motion by Trustee Verciglio, properly seconded to approve to waive raffle permit fee Full Circle Band Show for December 1st.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried.

5. *Approval of research and documentation of Dowell Road/Island Lake corporate limits to Baxter & Woodman not to exceed \$1,250.00*

Motion by Trustee Saville, properly seconded to approve research and documentation of Dowell Road/Island Lake corporate limits to Baxter & Woodman not to exceed \$1,250.00.

Trustee Saville explained that because of the expansion to the north, an update with research and proper documentation is needed as Island Lake is responsible for repairs to roads, etc. Trustee Ponio questioned why this was not done when the property was annexed in. Kevin Sutherland of Baxter & Woodman explained that they have been going by the County's reports and the Township's reports and they don't want to guess any longer. He recommended that an updated study be conducted so the Village knows exactly what Island Lake is responsible for. Trustee Garling expressed that he feels that the Village should be able to work something out and work together on something like when roads need to get plowed, so it's one of us and not everyone, and there's an agreement between the Village, County and Township. Trustee Saville explained, that for safety reasons for residents, if they are up there and in that area, the Village plows the roads. He explained further though that what needs to be worked out is road repairs, pot hole repair, etc. He added that these are expensive to fix and that the Village needs to figure out its boundaries.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried.

6. *Approval of tree removal bid to Marks Tree Service in the amount of 4,900.00*

Motion by Trustee Saville, properly seconded to approve tree removal bid to Marks Tree Service in the amount of 4,900.00 for a budget total of \$8900.00.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried.

7. *Village Water System Improvements-Project Status Update*

Kevin Sutherland of Baxter and Woodman introduced the project manager, Eric Morascus, as well as Mark Harmon and Neal DeYoung, who are all involved and working on this project. Mr. Sutherland stated that they wanted to update the Board for 3 reasons: one, the last report was presented in February and now there's a new Board; two, there's been a lot progress on the design and three, he wanted to spend the time with the new Board walking them through the water system improvement plan. Mr. Sutherland stated that they look at more than just capacity. They want enough supply, treatment and enough storage especially in the case of needed fire capacities. He next pointed out to the Board he exhibit of the looping of the water main. Mr. Sutherland explained that they like to loop because at dead ends, the water can get stagnant as well as there's a lose of pressure so, they always work towards and plan for as much looping as possible. He next explained that the Village has two pressure zones, a high and a low, in which the low is actually pretty close in range to the high pressure. He said that it's actually a high elevated zone and a low elevated zone. Mr. Sutherland said that the great the height, the better the pressure. He said that the goal is stay around 65 psi. 80 is very high. Mr. Sutherland stated that they look at fire flows when they are planning and as growth takes place, they plan for more fire flows. He said that the water is at about 1000 gpm when the water will get up to Walnut Glen. Mr. Sutherland added that they have to watch long runs as they have to consider water quality as well. He said that there is also a water pumping station.

In planning, they also look at what would happen if the largest unit is out of service so testing is done to make sure that the water capacity in the wells can meet what is needed. They also look at contingency plans. For example, Janet Drive. This is the smallest tank in the Village and it holds about 100,000 gallons. This tank has a higher elevation than the Fox River Shores tank. Mr. Sutherland said that the actual, in the tank, is about 60,000. He explained that the tanks are full once a day and then it varies throughout the rest of the day. Mr. Sutherland said that well #7, by Waterford, is a shallow aquifer well. Wells #9 and 8 are deep aquifers and are about 1000 feet down. One well is not being used as MTBEs were found in the well. This well can eventually be used; however, it has to be treated. This well is near well #6 and 10. There are no MTBEs found in wells 6 and 10. Well 8 is about 950 feet deep. Mr. Sutherland said that the Village needs to plan also for wells 6 and 10 to eventually not be in service. Mr. Sutherland explained that if the elevated tank is started now, it won't be ready until 2009. That means that 2 subdivisions can not be served. Eric explained that the schedule and timeline planned for are: one, drill the well, two, bring pumping equipment into the well, three, treatment plant and four, elevated tank. The well went through the bidding process and is ready for construction. They are waiting on the IEPA permit. Next, the pumping equipment needs to go out for bid in conjunction with the treatment plant. He added that the design of the treatment plant and elevated tank are just about completed. They next went over the site plan on the 5 acre parcel. The tank will be as far north as possible, the treatment plant will be to the south and the well will be located to the south. The main item in this whole process was looking for water. The 5 acre site is a good, solid area for water. A test hole was drilled to test the area. The test well was pumped for 24 hours and there is a fantastic aquifer that was found. There is also opportunity to drill for a second well in that same area in the future.

Trustee Garling asked how this will be looped as they move into the future and for future growth. Mr. Sutherland stated that the plan goes out to 2030. Trustee Ponio questioned what was worked out with this up and coming subdivisions if this is all not ready. Mr. Sutherland replied that it was worked into their agreements with the Village that they will have to provide water in the meantime as there is a potential that the Village may not be ready. The developers have to provide temporary facilities and most likely a temporary pumping station. Trustee Ponio questioned that Walnut Glen is on the low side of the pressure zone and how that will work and effect them. Mr. Sutherland explained that there was no opportunity during development of Walnut Glen so that's why this was not included. He said that there has to be a good balance between the size of the main and water quality. They went with one vs. the other to handle the water quality issue. Trustee Ponio pointed out that the Fox River Shores tank is lower than the one on Janet Drive and he questioned why it was done that way. Neal DeYoung replied that this was pre-Baxter & Woodman and the Village did not own the water company at that time. He said that the Village was not given the right information and documents so they built off of what they were given. Trustee Ponio questioned the permits and Eric explained that they like to do them together in order to save time. He said that recently they received word that there is a feed lot within about 400 feet. He explained that there is a 400 foot set back zone and that there can't be certain things in that area. Trustee Garling questioned again the 400 feet and the feed lot and asked if a deep well would make a difference. Eric replied that yes, deep aquifers do allow for more. It was stated that a shallow is approximately \$150,000 with about \$50,000 in pumping equipment vs. a deep well which is about \$900,000 with about \$150,000 needed for pumping equipment. Trustee Garling questioned the recent reports on the Great Lakes Basin and Mr. Sutherland explained the boundaries, the cfs requirements, that from 1985 to 1996 more that 3200 cfs was taken so Illinois has until 2020 to pay that difference back to Lake Michigan, etc. He explained that drawn down zones are looked at and analyzed we they run about 18 hours so aquifers then have an opportunity to recharge during those down hours.

Trustee Ponio questioned if the 5 acres has been deeded over to the Village yet. Mr. Sutherland replied that this is in process. He expressed concern for no zoning hearing, that the property is not deeded over yet and that there are no permits yet. Attorney Puma replied that he will review the Village ordinances for sanitary and sewer. Trustee Ponio questioned the words "similar facilities" in the ordinances and stated that he just wants to see everything done property as well as legally. He commented that money has been spent to contract the well, etc., and everything is moving ahead; however, not everything is in place yet legally. Attorney explained that an ordinance will be needed as well as a public hearing before the ZBA. Trustee Ponio stated that the Village should have the land in their hands as well as the land needs to be property zoned and a special use permit per Village ordinance.

8. *Approval to go out for bid on the water treatment plant and elevated storage tank*

Motion by Trustee Saville, properly seconded to approve to go out for bid on the water treatment plant and elevated storage tank contingent on one, the deeding over of the property to the Village and two, the proper zoning change.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio

NAYS: Trustee Ponio

ABSENT: None

ABSTAIN: None

Motion was declared carried.

9. *Approval of Ordinance 1318-07 Walgreens Land Transfer*

Motion by Trustee Garling, properly seconded to approve Ordinance 1318-07 Walgreens Land Transfer contingent on IDNR approval.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio

NAYS: Trustee Ponio

ABSENT: None

ABSTAIN: None

Motion was declared carried.

10. *Approval of agreement between the Village and Nineteenth Judicial Circuit Court for use of public service defendants*

Trustee Saville questioned why this is being voted on this evening as the Mayor has already signed the document. Mayor Hyde explained that it had to be signed and that it was too close to the deadline to wait or the Village would loose out. Trustee Saville replied that this is a good program; however, this is not the first time that something has been signed and then is backtracked and brought to the Board for a vote after it's already been signed. He pointed out that the Village Board had a meeting on the 11th and it was signed on the 12th and questioned why it wasn't even brought up then to the Board Members. He said that he is not opposed to this program but rather just opposed to the procedure that was followed. Trustee Saville stated that this has occurred 4 times already and questioned that if this keeps happening, how does it prevent anyone from just signing something and sending it out. Trustee Herrmann replied though that this is an agreement for continued service that's already in place. She questioned if the Board really needed to approve it. Attorney Puma replied that it is a 24 month agreement and any agreement really should come to the Board. He explained that the Board can cancel the contract if it's not approved. He said that this is perfunctory and that agreements should come before the Board before being signed. Mayor Hyde explained that the agreement was brought down to him and he was informed that it needed to be signed. He stated that he could rescind the contract if the Board so wishes. Trustee Ponio clarified that what he thinks Trustee Saville's point is, is that the Board would like to have input on items before they are signed and sent off. He said that it is a procedural matter. Trustee Saville read an excerpt from past meeting minutes where it stated that Mayor Hyde would not sign contracts without prior approval from the Board. Trustee Saville said that three were signed before and now here's another one. He is upset because like now, good turns into questionable because of this. Trustee Garling said though that this agreement does not cost the Village a dime. He questioned where the Board should draw the line. Trustee Saville replied that he understands; however, they all agreed before that this would not be the case with agreements and contracts. Trustee Garling said that there is a grey area though. He explained that he feels, if it costs money, it should be approved by the Board. If not, if it's just help, it shouldn't be as big of an issue. Trustee Herrmann explained that agreements such as these come across all the time. She reiterated that there's no money involved with this agreement.

She suggested a procedural process and put it into ordinance form then. Trustee Saville replied that this though is not an every day event for the Village and it is for two years so it is a document that is not signed too often. Trustee Herrmann replied though that this is an on-going program. Trustee Ponio replied too that it give the Board the opportunity to ask questions such as if there are any problems or issues, if it's going okay, how often this will need to be signed, etc.

Motion by Trustee Herrmann, properly seconded to approve the agreement between the Village and Nineteenth Judicial Circuit Court for use of public service defendants.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried.

11. Discussion of Village employee Holiday Party

Trustee Herrmann explained that past practice was that this party was handled through Administration. She said that monies are used for this party through vending machine collections and that there has been \$260 collected thus far. She said that in the past too, Board Members gave up one meetings pay, so \$100, to go towards the party so that employees did not have to pay anything for the party. She said that this party is a thank you to the Village employees. Trustee Herrmann stated that she will donate her \$100. Trustee Herrmann said that the party has been held at Sideouts as they have a room to accommodate everyone as well as those who attend are able to mingle about the facility. She said that the room and food are very reasonable and includes soft drinks and coffee. Trustee Garling replied that he would donate too one meetings pay. Trustee Herrmann replied that anywhere from 20 to 40 people attend.

Items from the Clerk, Trustees and Department Heads

- Trustee Ponio stated that everyone receive an email from Clerk Kaczmarek regarding the Village stickers for next year. He suggested going back to the sailboat or having half and half. He would like to have the opportunity to decide which one to go with as well as would like that option for the residents also. Trustees Garling, Herrmann and Verciglio stated that they are for keeping with the current program and continuing to have the children design our Village stickers. Trustee Saville said no comment. Trustee Verciglio replied that he is against offering a choice as it will be more costly to the Village as well as confusing to handle. Clerk Kaczmarek explained that she gets in all the drawings from the children and puts them out for a vote one afternoon so everyone coming in and out of Village Hall has an opportunity to vote. She said that they then have an awards ceremony at the school and presents the winners with an award.*
- Trustee Ponio stated that he would like to see all Village emails posted each month on the Village website. He said that many items being discussed should be discussed in the Board Room, not on email. He feels that the emails should be printed out, like the meeting minutes, and approved. He feels that too much is going on behind the publics back and he sees it as a violation of the Open Meetings Act. Trustee Ponio stated that that's why the Board has meetings and that emails are getting too carried away. Mayor Hyde stated that he does not feel that this would be an appropriate way to handle emails. Trustee Herrmann said that maybe then there should be no emailing. She said that many emails are copied just for the sake of knowledge and not necessarily for a response. Attorney Puma explained though, that there's no difference between the emails vs. if someone were to make notes on a piece of paper and make a copy for everyone and hand it out. He said that where it becomes a problem is when there is contemporaneous, rapid Yes/No, Yes/No answers going back and forth. Trustee Garling stated too that the cost to post these emails on the Village website each month.*

- Trustee Ponio questioned if interview have started on a new Code Enforcement Officer yet. He asked too if the Board gets to participate in the process. Trustee Herrmann replied that that would be too micromanaging and that was never done in the past. She replied that it's generally left up to the Department Heads to run their department.
- Trustee Sadoski addressed the security issue at Village Hall. She said that two quotes were received and they are waiting on the third. Trustee Ponio explained that he came in one evening and discovered that the woman working the window had no idea that there was another security issue recently. He wanted to know why everyone was not being informed of this. Mayor Hyde replied that the night guardian had left when a meeting was still going on and had no idea that this had happened. Trustee Saville pointed out that this matter is about procedure.
- Trustee Garling reported that there is a new dentist in town at 115 E. State Road.
- Trustee Garling reported that he attended the ICOSA show today. He showed the Board the brochure that was presented at the booth regarding Island Lake. Trustee Garling reported that the show was very busy and that he had many good conversations with potential businesses for Island Lake.
- Trustee Garling reported that the Uptown Improvement Committee had their first meeting. Their goal is to upgrade downtown. They discussed what to do, how to do it, how to fund project, etc. He said that they talked about taking small steps such as getting the businesses involved in the Village Holiday decorating contest, possibly having a whiskey barrel flower program out front of each business, etc. The next meeting is set for November 13th at 7:30 pm at Village Hall. He said that thus far who joined were two business owners, 2 residents, former Trustee, some from the current Board and the Mayor.
- Trustee Herrmann stated that she would like to propose a flow chart be made for each Department and updated frequently so that projects and issues that come up can be more easily tracked as well as it will assist the Board in staying on track. She said that maybe it's something that could also be posted in the Village Board Room as an on-going progress report. She thought that possibly this would assist the Board too in focusing on finishing projects and/or outstanding issues. Trustee Garling supported the idea but suggested that it be placed up and about so that residents could also view the flow chart and the progress.
- Trustee Verciglio stated that the Holiday Decorating contest is coming up and being worked on.
- Trustee Verciglio reported that the Park and Recreation Department was informed that last week a group was using one of the fields without permission. The PD told Trustee Verciglio that there was nothing that they could do as there is no ordinance in place. Attorney Puma replied that the Village can tell people to leave a park and that the PD can enforce this as groups that use the Village parks, have permission and also have certificates of insurance filed with the Village at Village Hall. He said that they are basically trespassing. Attorney Puma said that yes, it is public property; however, the parks can not be used at will. Trustee Verciglio will speak with the Chief then on this matter.
- Trustee Verciglio explained the purpose of the Governors Hometown Award. He stated that it is for recognition of our community efforts along with recognition of the volunteers. He said that what the Village won an award on was the volunteers efforts at Veterans Park. It was pointed out though that the award is specific to the volunteer efforts put forth on the patio and that that project was completed by an Eagle Scout.
- Trustee Saville stated that in two weeks the Hillside Estates agreement public hearing will be occurring. He has surveyed a group of random residents asking them if they would prefer another park or the money for the Village. He said that most replied "the Village needs the money".
- Trustee Saville reported that there are not monies allocated for a Village Manager. After speaking with John Little, he does not see monies in the budget for next year either. Trustee Saville has also been speaking with Willie Kootstra and John Little about an Assistant to Public Works Director.
- Trustee Saville mentioned the Pavement Management Report that he passed out this evening to everyone. This is not in the budget; however, John Little stated that there are some funds left over that could be used for this project. The report needs to be updated.

Items from the Mayor

- Mayor Hyde passed out a letter from the Comptroller for the State of Illinois
- The Salvation Army is planning to have Red Kettle Day on December 8th. They are looking for volunteers to help. Trustee Herrmann and Trustee Garling offered to help.
- Mayor Hyde mentioned that the Village Hall building has a lot problems and issues. There are plumbing issues as well. He reported that the past presenters offered to go through the building and tell the Board what the issues are. The Board needs to review this matter and come up with a consensus.

- *Mayor Hyde mentioned the Smoke Free Illinois and stated the possibility of a local ordinance. Attorney Puma reported that his office has a memo in draft form that's just about to go out to the municipalities on this subject.*
- *Mayor Hyde mentioned working on the Village Holiday decorations. He met with John Little and John Little reported that there is about \$500 available for this. The Board discussed this and decided that they would agree to spend up to \$1500.*
- *Mayor Hyde read an email he received/a request from Lots A Tots regarding signs. He said that in the past, the Board agreed that only Village events and/or Village organizations are allowed to place items on the sign at Water Tower Park. Lots A Tots is asking to use the sign. Trustee Verciglio replied that he has already answered this matter and that the Board decided not to allow anything outside of Village events and organizations to advertise on that sign.*

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

Laurie Rabatinni, 4702 S. Hampton, Ms. Rabatinni inquired about the possibility of Village meetings being taped and broadcasted over cable. Mayor Hyde explained that this has been considered and looked into over the Board Room needs to have certain upgrades such as a good sound quality system, quality taping system, etc., in order to do this.

Tom Kaczmarek, 703 Fox Trail: Mr. Kaczmarek asked if an Eagle Scout was the one who completed the paver project in Veterans Park and if he will be recognized for this and/or his name placed on the Governors Hometown Award sign also. Trustee Verciglio and Mayor Hyde reported that no personal names go on Hometown Awards. Mr. Kaczmarek suggested that a special plaque should be considered to go up at Veterans Park recognizing this individuals work and volunteer efforts.

Motion by Trustee Garling, properly seconded to bring the meeting back to the Board. Upon voice vote, motion was unanimously declared carried.

Motion by Trustee Garling, properly seconded to go into executive session for Land sale/acquisition and litigation. All in favor.

Motion by Trustee Herrmann, properly seconded to come out of executive session and return to the meeting. All in favor.

Motion by Trustee Garling, properly seconded to adjourn the Board meeting. All in favor. The meeting adjourned at 11:20 pm.

Christine Kaczmarek, Village Clerk