

**MINUTES OF A REGULAR BOARD MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF  
ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 27<sup>th</sup> DAY OF MARCH 2008**

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**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, Saville and Verciglio.

Also in attendance was: Attorney Julie Tappendorf, Ancel Glink.

**AGENDA**

1. Approval to pay Village bills to: Lisa Salkovitz, esq. and Rudolph F. Magna

Motion by Trustee Ponio, properly seconded to approve to pay the Village bills to Lisa Salkovitz, esq. and Rudolph F. Magna.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried

2. Approval of changes to the Village Zoning Map – Kevin Sutherland/Clerk Kaczmarek

Motion by Trustee Herrmann, properly seconded to approve the changes to the Village Zoning Map.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried

3. Discussion of new search for a Chief of Police – Trustee Garling

Trustee Garling stated that he placed this on the agenda before he had heard that Ancel and Glink could assist the Village with this process. There are various areas to go to for assistance. Trustee Herrmann stated that Margaret Kostopoulos has come up with some areas to turn to that are actually free to very inexpensive so the Village can discuss these in executive session further.

4. Discussion of Earth Hour March 29, 2008 from 8 pm to 9 pm – Trustee Garling

Trustee Garling reminded the Board that they had previously passed a resolution making the Village of Island Lake “green” to support the mayor’s caucus initiative. In the spirit of that, he would like the Village to participate in Earth Hour and make a statement about climate change by turning off their lights from 8 pm to 9 pm on March 29<sup>th</sup>. This was first started in Sydney, Australia in 2007 and since, around the world, this is gaining much support. The whole idea is for one hour just to turn off our lights in support and help to realize the issues with the environment, the pollution, etc., and help to preserve the environment for the future.

5. Discussion of Ordinance 5-5-2 – Trustee Saville

Trustee Saville stated that on December 27, 2007, the Liquor Commissioner for the Village was paid, as the Commissioner, to make sure all the rules and regulations are being followed when it comes to liquor licenses. However, there was one license that had an issue as money was owed to Village; however, that individual received his renewal license regardless. Trustee Saville stated that the Liquor Commissioner is negligent in his duties and is allowing licenses to be given out when they do not meet Village ordinances. He added that the Liquor Commissioner also now has promoted the exchange of that same/current liquor license. Trustee Saville referred to letter P. and Q. of the Village ordinance. Trustee Saville stated that he attended the Liquor Commission meeting on March 7, 2008, and not one word was mentioned of the debt owed to the Village. He asked Mayor Hyde two questions: if Mayor Hyde was aware of the debt and why he is promoting licenses and not following the Village ordinances as prescribed in the Village ordinance book. He said that Mayor Hyde can not deny that he does not know anything about the debt as there are emails with his name on it as well as he supplied information to the Board. Mayor Hyde stated that the renewal licenses are prepared by the Village Clerk, placed in front of him and that he doesn't look at every license. He added that the funds that are due, are due in relation to Baxter & Woodman. Mayor Hyde stated that it appears now that these charges are incorrect charges and they are being re-looked at. Trustee Saville said that 3-2-4-7, #B was amended by ordinance 1117-00 and that the liquor commissioner should know what the ordinances mean when they pertain to his commission. Mayor Hyde stated that the matter that Trustee Saville is referring to is a completely different piece of property located across the street. Trustee Saville mentioned that the names should be taken off this subject as the name has nothing to do with anything. He said that the liquor licenses are under the liquor commissioner's control and there is a debt out there that is owed to the Village and liquor licenses are being renewed incorrectly. Trustee Saville stated that as Trustees, it is their responsibility to not just let things go and that they have an obligation to the Village and the residents. He held up a packet of information and emails and questioned the Mayor if he has all the information that Trustee Saville has in hands regarding the DeLaurentis matter. He said that as everyone can see, there is a lot of information here. Trustee Saville said then suddenly, at the 11<sup>th</sup> hour, an email comes from the Village Attorney and no one is copied on the email suddenly except for John Little and Mayor Hyde and the Clerk was left off. He stated that there is a firestorm of emails and suggested that the Board Members read all the emails. Trustee Saville referred back to the Village ordinance once again and said that if a person is issued a liquor license from the Village, and if he/she owes the Village money, this matter should have been looked into by the Liquor Commission and handled appropriately or the renewal should not have been issued. He said that this puts the liquor license not in good standing. Mayor Hyde replied that he thinks the license is in good standing.

6. Discussion of obtaining a second opinion from another law firm – Trustee Saville

Trustee Saville stated that he spoke to Attorney Tappendorf earlier today. He explained to her that the Board Members are not receiving all the information that they are supposed to and that because they are not receiving everything, this is causing problems. He stated that he thought that the Board had an understanding that they are to get copied on everything. He said though that that is not the case. Trustee Saville said that he has, for example, some emails that say one thing and then other emails that say the other thing and that everyone is not getting copied on everything. Trustee Ponio added that he also does not get responses back from Attorney Puma – no calls back, no return emails. He stated that Attorney Puma is not looking out for the best interests of Island Lake. And if he is not, he feels that the Board should be considering a different law firm. Trustee Ponio said that Attorney Puma has the responsibility to respond to the Board and that he is not only the Mayors attorney. He said that the Board Members are being kept out of the loop and he has a real problem with that. Trustee Ponio added too that the costs for legal have doubled. Trustee Ponio explained that when he has a question, he expects a response and that it is just that simple. He added too that Attorney Puma rarely shows up for Village meetings.

**Items from the Clerk, Trustees and Departments Heads**

- Trustee Herrmann requested executive session for personnel.

- *Trustee Herrmann stated that Sergeant Tony Scarrione has been working with John Little on the budget. They will be going over this with the Board in the future. They are working on better scheduling in order to reduce overtime. 2 issues have come up – there are 2 vacancies within the Police Department, Office Klem left as well as the past Chief has retired. She mentioned the deficits within the budget. There is also a deficit in the budget this year due to the winter weather and having to purchase large amounts of salt for the roads. Willie Kootstra is looking at the budget as well.*
- *Trustee Herrmann talked to the Board about the lights on state lighted intersections program that some Village are using for ticketing. Sergeant Scarrione explained the program to the Board Members. He said that the Village essentially pays for nothing. He is working on obtaining further information from Village's that are currently on this program and will report back to the Board. The program prefers these lights on state roads such as Highway 176. He added that even if the Village were to try this on one intersection that this might be something to consider. Trustee Ponio mentioned that there are 6 lighted intersections down 176 in Island Lake that could possibly participate in this type of program.*
- *Mayor Hyde mentioned that there are also two Police vehicles that need to be looked at as well. One has 101,000 miles on it and the other has 97,000 miles on it. He said that the bids to repair them has come back and they are \$5000 +. Mayor Hyde stated that there are funds for vehicles as well as in the DUI fund to purchase new vehicles and would like the Board to consider this.*
- *Trustee Verciglio asked for executive session for personnel.*
- *Trustee Saville requested executive session for personnel*
- *Trustee Saville inquired about an update on the Sanitary District's request for de-annexation. He asked if the information is attorney client privileged and Attorney Tappendorf stated that yes it is. Trustee Saville asked Mayor Hyde if he has handed this information that was received out to anyone. Mayor Hyde replied that he has not seen it yet as he just received it today.*
- *Chuck Cermak of the Liquor Commission addressed the Board re: the DeLaurentis' liquor application. Mr. Cermak stated that the way that he interprets the Village ordinance "is the purchase of the premises UPON which alcohol/liquor is sold..." He explained that no debt was on that property. He said that the Liquor Commission looked at it on just that property - they don't care what/if he owes anything on something else – they just looked at that specific property. Mr. Cermak said that he spoke to Mr. DeLaurentis and Mr. DeLaurentis stated to him that he does feel that he owes that money and that's how he feels and he is speaking with the Village. Mr. Cermak said though that there is no debt whatsoever UPON the premises of the 3D Bowl property and that is why they recommended it as a Commission. Trustee Saville said that his argument is, and that it has nothing to do with the people that own that property but, it has to do with a license and that license is under a sole proprietorship. Mr. Cermak said though it's UPON the property or premises. Trustee Saville referred to the last part of the ordinance though and pointed out again that it says a person is not permitted to have a license and they can't purchase – Mr. Cermak interrupted and said "or final obligation on that piece of property". Mr. Cermak said it has nothing to do with anything else and that's why the word UPON is in there. Trustee Saville commented though, after checking with an outside agency, is that that license is in a person's name as a sole proprietor. Mr. Cermak interrupted again and said it says "UPON that property". Trustee Saville said it is not the property as the license is in someone's name as a sole proprietor. Mr. Cermak said that they absolutely owe nothing on that*

premises. Mr. Cermak added that he feels that the three of them on the Liquor Commission do a good job. He said that it

#### **Board Meeting – March 27, 2008 – Page 4 of 5**

wasn't until after the meeting, when Jerry came back into the room and talked to us again, that there was a question. He said that he looked into this matter and these are his thoughts. Trustee Saville asked Mr. Cermak if it was his impression that Trustee Saville had "dragged" Mr. DeLaurentis out of the meeting afterwards. Mr. Cermak said no, Mr. DeLaurentis was getting ready to leave anyway. Mr. Cermak said we were talking, Trustee Saville left and shook Mr. DeLaurentis hand and then they walked out together and they were talking in the hallway. Mr. Cermak said then when Mr. DeLaurentis came back in, to talk to us, he told us about this matter and I looked into it. Trustee Ponio said that if you read the first line, item P, in the ordinance, it doesn't refer to premises. He repeated that the ordinance says "anyone who is indebted for any delinquent...and any other obligation", and that it does not say anything about the premises and says person ineligible. He said that anyone of these items under this ordinance applies. He added that it does not say either a specific reason for the obligation but that it is an obligation, simply stated. He feels that this is simply stated. Trustee Ponio again said P says "any obligation". Mr. Cermak did not agree stating once again his interpretation. Mr. Cermak said that himself, John and the Mayor looked into it and feel that they did a good job. Trustee Ponio pointed out once again the title on the ordinance – person ineligible to receive a license and that it says "persons" not businesses. Mr. Cermak pointed out H. in the ordinance. Attorney Tappendorf said it is correct, if a person is indebted and that person applies for a license that person debt could make them ineligible. So, it is personal, but it does not apply to someone else. She explained that step 1 is – if a person comes in and applies, do they meet the standards and do they have any personal debt as that could make them ineligible. The second part, is the property. The debt has to be related to that property. If it's a different person coming in, that person does not get the debt of the other person but there could be debt on the property. Attorney Tappendorf explained then that they do apply separately then and in this case, P. does not apply because the debt is another person and Q. does not apply because the debt is not on that property. Trustee Saville asked, being that this is for someone applying, it would also be for a person that already has a license that there is a standard to meet. Attorney Tappendorf replied that for renewal, yes, the standard does apply.

#### *Items from the Mayor*

- Mayor Hyde passed on a memo to the Board Members stating that Al Schmidt and Donna Willard would like to remain on the Zoning Board of Appeals.
- Mayor Hyde reported that Johnsburg is looking for assistance from our Village regarding support on a sanitary project. They are looking for our Village to concur with their efforts. Mayor Hyde will be forwarding a letter of support from Island Lake. The Board agreed.
- Mayor Hyde passed out a letter from Greg Akers regarding compliance with the Big Island Park.
- Yard Waste service this year is a cost of \$1.84 per bag sticker. Pick up is \$65.82.
- The Village received an IEPA permit for a 1815 foot of 6 inch of water main and 1319 feet of 8 inch water main.
- LYAA is working on \$15,000 + netting for the ball fields.
- Mayor Hyde inquired about the Piotrowski matter. None of the Board Members have heard anything further.

- Mayor Hyde said that the Board has received information on the Huffman commercial request. They will be on the agenda for April.

**Board Meeting – March 27, 2008 – Page 5 of 5**

- Mayor Hyde reported that the Village used to have a replace a tree program and would like to see this started once again and asked the Board to consider this in the next budget year.

*Motion by Trustee Garling, properly seconded to open the meeting to the floor.*

*Greg Guido, 3310 Hale Lane: Mr. Guido said that last year during the budget process, the Police Department was asked to cut back. It went from \$65,000 back up to \$80,000. He suggested, that if two new officers are added on, they have to go thru training, etc., and he does not see the savings there then as it takes time to get them fully trained and on the street. He suggested that overtime be looked at overall. Mr. Guido reported that some Villages started that Red Light Program; however, some are now canceling it. Mr. Guido reminded the Board that the x-Chief had a vehicle would could be used by the Police Department instead of getting two brand new vehicles. Mr. Guido commented about the liquor license issue. He said that when they did liquor licenses in the past, one was taken away first and then the Board voted to give the license to someone else. He said that there should never be a liquor license open.*

*Motion by Trustee Garling, properly seconded to bring the meeting back to the Board. All in favor.*

*Motion by Trustee Herrmann, properly seconded to adjourn to Executive Session. Upon voice vote, motion was unanimously declared carried.*

*Motion by Trustee Herrmann, properly seconded to end executive session and return to the Board meeting. Upon voice vote, motion was unanimously declared carried.*

*Being that no further business was discussed, motion by Trustee Herrmann, properly seconded to adjourn the Board meeting. All in favor. The meeting adjourned at 9:20 pm.*

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*Christy Kaczmarek, Village Clerk*