

June 28, 2005 Regular Board Meeting

June 28th, 2005 Regular Board Meeting Minutes

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Ted Mueller at 7:03 p.m.

Police Commander Mike Robinson led the pledge of allegiance to the flag.

Clerk Kathy Metzler took roll call. The following Officials were present: Mayor Ted Mueller, Trustees Walkington, Stilz III, Genender, Bonds, Stilz II and Gottsacker

Also present were: Village Clerk Kathy Metzler, Treasurer Kelly Hensley, Deputy Clerk Debbie Zwicker, Public Works Supervisor Jeff Gately, EMA Coordinator Mark Gottsacker, Police Commander Mike Robinson and Village Attorney Adam Simon

Absent: Building Official Russ Kraly and Village Engineer Marcia McCutchan

Mayor Mueller thanked Wally Stilz II for changing his flight to Maui to attend the meeting tonight.

Also, thank you to Gary Walkington for taking my place at the last meeting when I was out of town.

Establishment of quorum

Agenda Approval

Trustee Walkington motioned to approve the agenda as presented; seconded by Trustee Genender.

Roll Call:

Ayes: Trustees Walkington, Stilz III, Genender, Bonds, Stilz II and Gottsacker

Motion carried.

There was no public discussion.

Omnibus Vote Agenda

1. A Motion to Approve the May 24th, 2005 Regular Board Meeting Minutes
2. A Motion to Approve the May 24th, 2005 Executive Session Meeting Minutes to be approved by not released
3. A Motion to Approve the June 14th, 2005 Regular Board Meeting Minutes

Trustee Walkington motioned to approve the Omnibus Vote Agenda as presented: seconded by Trustee Genender.

Roll Call:

Ayes: Trustees Walkington, Stilz III, Genender, Bonds, Stilz II and Gottsacker

Motion carried.

Trustee Stilz II had a question regarding the Omnibus Vote items. Attorney Simon stated he would have to pull it off the Omnibus Vote Agenda in order to discuss it. Trustee Walkington stated the mayor should have asked for discussion and the mayor stated he usually does.

Trustee Stilz II stated he would discuss it under Public Works/Public Property.

Reports and Communications from Mayor and other Officers:

Mayors Report

Mayor Ted Mueller reported yesterday that he attended a Rate Analysis workshop put on by Southern Illinois University in Rockford. He didn't go as an official, but to pick up some professional development hours that he needed. He found it very valuable and passed on the entire file onto Debbie Zwicker to use as she wishes.

The Village of Hainesville received a Certificate of Recognition by the Lake County Regional Planning Commission in Recognition of our Contribution to the Development of the 2004 Lake County Regional Framework Plan.

The mayor stated we have had a need to enforce our watering ordinance. Terry Grom gave the mayor information on our usage and we have actually exceeded half a million gallons a day a couple days last week. Tuesday we used 473,000 gallons, Wednesday we used 494,000 gallons, Thursday 542,000 gallons and at that time the level in our tower dropped four feet, Friday 533,000 gallons, Saturday 450,000 gallons and Sunday 487,000 gallons. The police have been issuing warnings and now the mayor has instructed Chief Johnson to give tickets. We are not in immediate danger, but we don't want to overtax our system. Jeff Gately put up water restriction signs throughout the village and it is also in our newsletter.

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Clerks Report

Clerk Kathy Metzler reminded everyone there will be a public hearing on July 12th, 2005 at 6:30 p.m. for Kelly and one at 6:45 p.m. for the approval of variances from the village-zoning ordinance for the property located at 45 West Belvidere Road.

Newsletters were mailed out on Friday and asked if anyone received newsletters. No one has received them yet. Clerk Metzler will call the post office.

The Village is now registering Bicycles at no charge. Residents can complete the form either at the village or the Police Department. Clerk Metzler thanked the mayor for making the stickers, which are numbered, as he does the village stickers for the vehicles.

There is a form in your mailbox requesting your size of a Hainesville Polo shirt and check if you want a pocket or not. Please return to Kathy ASAP. The mayor added that we are thinking of putting names on the shirts and the color will be Khaki.

Treasurer Report

Treasurer Kelly Hensley stated her items are under business. Leynette Kuniej was here for the audit on Monday, Tuesday and will come back in next Wednesday.

Police

Police Commander Mike Robinson reported that a \$65,400. grant was Awarded from Illinois Law Enforcement Alarm System Department of Homeland Security and Citizen Corps., \$51,200. grant was given to replace the Mobile Digital Computers in their squad cars and also received a \$14,200. grant for the implementation of the Citizen Corps program. Commander Robinson passed out the press release.

Building Official

Building Official Russ Kraly was not present.

Public Works Supervisor

Public Works Supervisor Jeff Gately reported that the mowing has stopped due to the weather. Bob Irvine and Jeff have been watering on Monday or Tuesday and again Thursday or Friday. Bob Irvine painted all hydrants in Deer Point Subdivision and when he gets back he will do Misty Hill.

When Bob comes back we will start striping the pavement at the stop signs in Cranberry Lake Subdivision.

EMA Coordinator

EMA Coordinator Mark Gottsacker stated in the very near future all of the Trustees and staff will have to complete NIMS training. You can either do a book and a test or he will set up a weekend day for three to four hours and run thru the class. Mark asked that we get back to him and let him know what we want to do.

Attorney

Attorney Adam Simon gave a brief clarification regarding the Supreme Court case regarding the governments power of eminent domain. A City in Connecticut which purchase private property and acted as a land broker turned it over to a private developer to put the property to a higher and better use. Under Connecticut laws the Supreme Court of the United States said that was permissible under the 5th amendment of the Constitution. In Illinois the Supreme Court takes a more conservative approach we do not have that broad of authority. Encourage residents not to over react.

Reports of Standing Committees:

Finance – Trustee Walkington had nothing to report.

Adopt An Entrance – Trustee Bonds stated due to the extreme heat she would like to put the Adopt An Entrance on hold as far as new planting. Georgeann, George Duberstein and Amy Strack planted flowers on Route 120 and with this extreme heat they are dying. When Georgeann picked up flowers from Perricone Nursery some items were on backorder, however, Georgeann paid for the total order, so Trustee Bonds will get the remainder of the monies back, senseless to try to plant now. Looking towards the fall to plant. Trustee Bonds stated we still need to clean up the dead bushes and branches and we will still need to weed. Hopefully, after the newsletter gets out we can get some more volunteers.

At the last meeting Trustee Bonds did request a letter to be sent to Deer Point Homes regarding Route 120 to restore that area where the grass has been dug up. Trustee Bonds received notification from a resident asking when that area would be taken care of and asking if the letter

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has been sent. Mayor Mueller stated that RHMG is handling that and will call them in the morning. The Mayor did send a letter to have them mow the area. Trustee Stiliz II stated he and the Board had asked the mayor to send a letter along with the letters for mowing the grass. Trustee Stiliz II and Trustee Bonds would like Mayor Mueller to write a letter for that area to be restored. Mayor Mueller said he would write the letter in the morning.

Trustee Walkington asked what kind of response is Marcia getting from Deer Point? The mayor said not much response, Trustee Walkington stated someone is dragging their feet, this has been going on for five months. Call Marcia in and tell her to get her act together or have her come before the Board. The mayor will call Marcia tomorrow and advise everyone of the response.

Public Safety – Trustee Gottsacker is working with the police department on some proposed changes of some ordinances. Also working on the parking issue.

Grant Procurement – Trustee Genender reported we did receive new information that will be placed in the grant book, which is kept in the Trustees office. We did receive Grant Seekers Tips provided by Clerk Metzler. Utility Clerk Debbie Zwicker stated she spoke with Terry Grom and there is a gentleman who does work with grants for water systems and he will give Debbie a call.

Public Works/Public Property/Open Spaces – Trustee Stiliz II has had discussions with some Cranberry Lake residents who are interested in getting involved in the maintenance and up keep of the wetlands. We have to decide how much we want to punish the residents who have encroached on the dedicated buffer that is part of the U. S. Army Corp of Engineer Wetland Permit. We will have to write a letter to all these people that they have to restore it to their natural condition. Trustee Stiliz II would like to have the letters in the mail in August when he gets back from vacation. Ted stated this has been discussed and he will write the letters having the residents immediately restore the property to the way it was in a timely manner and if not, we will do it and charge them. Trustee Stiliz II stated when people closed on their home they signed a paper to leave it alone. Mayor Mueller stated we will get the letter out first and then we will take the next step. Mayor Mueller stated Wally is correct, these residents were made fully aware of it. Unfortunately, the developer of the property turned his head and did nothing to control this.

Business

An Ordinance Approving the Addition of Island Lake and Round Lake Heights to SWALCO

Trustee Bonds motioned to approve the Addition of Island Lake and Round Lake Heights to SWALCO; seconded by Trustee Walkington.

Roll Call:

Ayes: Trustees Walkington, Stiliz III, Genender, Bonds, Stiliz II and Gottsacker

Motion carried.

Ordinance # 05-06-51

Ray Weidner – Plat of Consolidation

Mayor Mueller stated this item would be tabled. At one time the mayor was led to believe this could be handled by a vote, evidently it is not that simple. Attorney Simon explained that Mr. Weidner wants to divide the property not consolidate the property. Looking at the survey, the property consists of three lots and Ray would like to combine this into two lots. He will need a variance, which will require a public hearing.

This agenda item has been tabled.

Draft – Estimate of Revenue May 05 – April 06

Treasurer Kelly Hensley met with everyone regarding his or her budget. Kelly explained the Estimate of Revenue.

This is a legal process that we have to go thru. This is a draft.

Trustee Stiliz II asked about another column which shows actual differences between budget and reality? This is just a draft, the one that you adopt will only show the source and the proposed of 06. For future draft, Kelly will do that.

Draft – Appropriation/Budget May 05 – April 06

Treasurer Kelly Hensley stated this is a draft. Kelly explained the appropriation ordinance and that every village has to have this passed by the end of July. Kelly put a lot more detail in this then in the past for the new Trustees. Treasurer Hensley needs direction from the Boards to conduct the public hearing. We will conduct on a public hearing on July 12th, at 6:30. The public hearing notice has been published in the paper and Kelly will have it on the agenda for passage. All Trustees agreed to go forward.

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Trustee Gottsacker motioned to go into executive session to discuss sale of property and personnel issue; seconded by Trustee Walkington.

Roll Call:

Ayes: Trustees Walkington, Stiliz III, Genender, Bonds, Stiliz II and Gottsacker

Motion carried.

The Regular Board Meeting ended at 7:42 p.m. to break for a few minutes, then enter into Executive Session.

The Regular Board Meeting entered back in at 9:14 p.m.

To Vote on once out from Executive Session:

Sale of Village Hall

Mayor Mueller asked Attorney Adam Simon to read the recommended motion and then the mayor will ask for a motion. Attorney Adam Simon stated he would put forth this motion for a trustee to make to accept an amendment to the real estate contract between the Village of Hainesville and McVickers Development for the sale of the former village hall property and have that amendment on the following terms: augment the Ernest money to \$43,000 the purchaser and seller shall agree on a reimbursement of fees agreement whereby the purchaser will reimburse the seller for its out-of-pocket consultant and legal fees related to regulatory affairs in the development of the property. In conjunction with that reimbursement of fees agreement the village would agree to reimburse the purchaser for its offsite engineering costs should the deal fall thru up to a maximum of \$5,000. Further, with respect to contingencies, the existing access contingency would be extended thru July 15th to August 15th 2005 any further contingency related to final engineering approval would be set towards Sept 30th 2005 subject to certain milestones being met i.e. original final engineering plans being submitted within 30 days and the village engineer submitting preliminary comments and response and response to the first set of engineering plans within 10 business days thereafter, and in addition to that having the purchaser provide bi-weekly progress reports on the engineering and site plan development. Finally, the purchaser would agree to sign the three party agreement with Hutson. However the binding objective will be contingent on the village granting certain variances if any are required on his proposed site plan approval.

Mayor Mueller asked for a motion.

Trustee Walkington made that motion; seconded by Trustee Genender.

No discussion from the Board. Mayor Mueller asked John Thompson and John McVickers if this is acceptable? They agreed.

Roll Call:

Ayes: Trustees Walkington, Stiliz III, Genender, Bonds and Gottsacker

Nays: Trustee Stiliz II

Motion carried.

Trustee Stiliz II motioned to adjourn the June 28th, 2005 Regular Board Meeting; seconded the motion by Trustee Bonds.

All in favor say aye, motion carried.

The June 28th, 2005 Regular Board Meeting adjourned at 9:17 p.m.

Kathy Metzler, RMC, CMC
Village Clerk