

## April 11, 2006 Regular Board Meeting Minutes

April 11th, 2006 Regular Board Meeting Minutes

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Ted Mueller at 7:00 p.m.

Jeff Gately led the pledge of allegiance to the flag.

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

Also present were: Village Clerk Kathy Metzler, Public Works Supervisor Jeff Gately and Village Attorney Derek Price

Absent: Trustees Stiliz III and Gottsacker, Deputy Clerk Debbie Zwicker Treasurer Kelly Hensley, EMA Coordinator Mark Gottsacker, Building Official Russ Kraly and Police Officer Joe Segreti  
Establishment of quorum

Agenda Approval

Trustee Walkington motioned to Approve the Agenda; seconded by Trustee Stiliz II.

Roll Call:

Ayes: Trustees Walkington, Genender, Bonds and Stiliz II

Absent: Trustees Stiliz III and Gottsacker

Motion carried.

There was no public discussion.

Omnibus Vote Agenda

A Motion to Approve the March 28th, 2006 Regular Board Meeting Minutes

A Motion to Approve the March 28th, 2006 Executive Session Meeting Minutes to be approved and released

A Motion to Approve the Bills Payable for April

Trustee Walkington motioned to approve the Omnibus Vote Agenda as presented; seconded by Trustee Bonds.

Roll Call:

Ayes: Trustees Walkington, Genender, Bonds and Stiliz II

Absent: Trustees Stiliz III and Gottsacker

Motion carried.

Reports and Communications from Mayor and other Officers:

Mayors Report

Mayor Ted Mueller reported he was gone for a week meeting his new great granddaughter.

Dave McSweeney has requested to be on our agenda for the next board meeting to introduce himself. Melissa Bean will visit at a later date.

Trustee Stiliz II asked if they have any written information on their platform a week ahead of time? Mayor Mueller will call David McSweeney and request information. Trustee Walkington asked if there would be a time limit?

Clerks Report

Clerk Kathy Metzler had nothing to report.

Treasurer Report

Treasurer Kelly Hensley was not present.

Police

Police Officer Joe Segreti was not present.

Building Official

Building Official Russ Kraly was not present.

Public Works Supervisor

Public Works Supervisor Jeff Gately stated that we are now into Phase 10 for the water meter replacement. This first project should be wrapped up by the end of May and will keep carrying on with the rest of it. We will have documents and plans ready for the next board meeting.

Within the next couple of weeks Jeff will be fertilizing and cutting grass in the next couple of the weeks.

Received the new population signs and will try to put them up this week.

Also, we will install the walking path signs along the path on Cranberry Lake for the pedestrian traffic only hopefully by the end of the week.

## April 11, 2006 Regular Board Meeting Minutes

EMA Coordinator

EMA Coordinator Mark Gottsacker was not present.

Attorney

Attorney Derke Price had nothing to report.

Reports of Standing Committees:

Finance – Trustee Walkington had nothing to report.

Public Safety – Trustee Gottsacker was not present.

Grant Procurement – Trustee Genender had nothing to report.

Village Hall Landscaping – Trustee Bonds stated sixteen bids have been picked up and the bid opening will be the 25th at 6:00 p.m.

Trustee Genender commented that the Tall Oak Drive entranceway looks great. Nice job to Jeff Gately.

Public Works/Public Property/Open Spaces – Trustee Stiliz II spoke about the encroachment.

These residents are building on our property regardless of the issue the Village of Hainesville has rights to enforce the wetland requirements of the US Army Corp of Engineers permit for that wetland. People have physically constructed structures on our property. If the village doesn't do something about this it will only get worse. Trustee Stiliz II would like to authorize R.E. Allen who did all the survey work for Deer Point Homes to go out and reestablish the rear lot corners for all the property abutting Cranberry Lake. Trustee Stiliz II believes that 90% of iron pipes are still in the ground. This would give the people where the property is. Trustee Stiliz II would like the Village Board to authorize us to do that. Mayor Mueller stated he understands that a large amount of this encroachment was done while Deer Point Homes had not turned this over to the village. Also, the mayor understands that Trustee Stiliz II was an employee at that time. Can you tell the Board what Deer Point Homes did to attempt to prevent this situation. Trustee Stiliz II stated a letter was sent out with his name stating that at the time of closing or time of sale, there was a 25 ft. conservancy on those properties and subject to certain requirements that were the Corp of Engineers and the homeowner was subject to those restraints. Deer Point Homes did not have any authority other than to go to the Corp of Engineers. Discussion took place.

Attorney Price stated Trustee Stiliz II does have a point, they have encroached on the land. The mayor and Attorney Price have walked it together and the strategy we have outlined that Attorney Price will send a letter on his letterhead to each of your neighbors telling them that they have to move that stuff out, wood piles, structures etc. and if they don't they will bring in enforcement actions to do it. If you had R.E. Allen go out and remonument would be an anticipation of actually bring in the enforcement suits to acquire title to our property and to remove the encroachments. The Board will have to authorize that, but the letter has been authorized and the draft will be available with the memo that you have asked for at the next board meeting describing what we can do and will do. Attorney Price is engaging in a formal process to end the encroachment and totally agrees with Trustee Stiliz II.

Trustee Stiliz II also asked if are taking proposals from engineering firms for the MFT work that will be coming up in the Spring and Summer? Mayor Mueller stated not yet, but this work would probably be directed towards RHMG. Will RHMG inspect the streets so that areas that are newer might new areas of patching and repair? Attorney Price asked if the Board has taken a vote to go through the professional services selection process? Mayor Mueller stated that we haven't started this. Discussion took place. Trustee Stiliz II stated we have a village engineer. They have all the records and understand how the village was constructed and would allow RHMG to go thru the process. Mayor Mueller agreed to go with RHMG. The mayor has discussed this with Marcia McCutchan already.

Trustee Stiliz II referred to a letter he received from the Lake County Highway Department regarding Rubloff. Mayor Mueller deferred that until the portion on Hainesville Crossing; he and Gene Johnson have discussed this issue already.

Business

Hainesville Crossing Performance Bond – Gene Johnson with Rubloff

Gene Johnson with Rubloff and Marcia McCutchan with RHMG were present. Marcia McCutchan stated that Rubloff has requested the Release of Performance Bond in acceptance of the public portion of the project. Gene and Marcia have been in communication since then and sent a letter to the Village on March 24th which outlined the requirements that they needed to complete before

## April 11, 2006 Regular Board Meeting Minutes

the Village release the performance bond. One of the items is to satisfy Lake County DOT with respect of Hainesville Road into the Village Hall entrance improvements. Not all the tasks have been completed. They will be requesting at the next couple board meeting a reduction in their bond or letter of credit as opposed to release of it.

Gene Johnson stated he has been in touch with Betsy with Lake County/DOT and did a walk through last fall. It was late in the year and couldn't address the problems with the paving. They are coming in to take care of this issue. Trustee Stiliz II met with Betsy who wasn't pleased.

Trustee Stiliz II is concerned that it is not easy to please the Lake County Highway Department however, the best way to please them is to do what they want. Betsy made reference that if you don't perform she might pull your bond with ramifications to the Village. Is the Village on that permit? Marcia stated that if we were it would be because we are a municipality, not for the access. Trustee Stiliz II stated there isn't any erosion control on that project and doesn't understand why. We know it is a requirement and the SMC gets tighter and tighter on this. Marcia stated that is included in their letter.

Marcia McCutchan stated she is anticipating that Rubloff will take action in the next couple of weeks as weather permits.

Trustee Walkington asked for an update at the next meeting.

An Ordinance Adopting and Amending the Village of Hainesville's Watershed Development Ordinance

Marcia McCutchan stated we are required to do this. Lake County Board adopted a revised Watershed Development Ordinance on January 10th. There were several changes, a lot was administrative but there were some restrictions with regard wetlands and water quality in the Stormwater system. In order to maintain our certification the Village is required to pass their Watershed Development Ordinance. Marcia is requesting that the Board take action on this Ordinance tonight.

Trustee Stiliz II motioned to pass the Ordinance Adopting and Amending the Village of Hainesville's Watershed Development Ordinance; seconded by Trustee Genender.

Trustee Stiliz II asked what was the change in the wetlands. Marcia explained.

Roll Call:

Ayes: Trustees Walkington, Genender, Bonds and Stiliz II

Absent: Trustees Stiliz III and Gottsacker

Motion Carried.

Ordinance # 06-04-63

Report on Parkway Tree Program Bid Opening

Public Works Supervisor Jeff Gately stated we received bids at the bid opening. Due to legal documents and certifications missing, we are rejecting all of the bids. The new packets are ready with all the new documents that are needed. We will have Attorney Price review them and put in the paper.

Mayor Mueller thanked Marcia for the proper forms for the invitation to bid. Our inexperience contributed to this situation. Discussion took place regarding the schedule of the bid opening.

Trustee Walkington motioned to go into executive session to discuss personnel issues; seconded by Trustee Bonds.

Mayor Mueller stated Trustee Bonds will take minutes and that only the Board, Attorney and Mayor will attend Executive Session.

Roll Call:

Ayes: Trustees Walkington, Genender, Bonds and Stiliz II

Absent: Trustees Stiliz III and Gottsacker

Motion carried.

The Regular Board Meeting ended at 7:37 pm. and entered into Executive Session.

The Regular Board Meeting entered back in at 8:27 p.m.

Trustee Bonds motioned to reconvene; seconded by Trustee Genender.

Roll Call:

Ayes: Trustees Walkington, Genender, Bonds and Stiliz II

Absent: Trustees Stiliz III and Gottsacker

Motion carried.

## April 11, 2006 Regular Board Meeting Minutes

To Vote on once out from Executive Session:

Mayor Mueller asked for a motion to cover the increases to beginning at the Fiscal year 3% across the board shall get a 3% increase with the exception of Kathy will get 6% Russ will stay at his present salary and Paul is a contractor.

Trustee Walkington motioned; seconded by Trustee Bonds.

Trustee Genender stated to be fair to all the employees. There should be some kind of merit and information brought before the Board. Having no information each employee needs to be looked at; some kind of merit scale. Mayor Mueller stated that was discussed in executive session.

Roll Call:

Ayes: Trustees Walkington and Bonds

Nays: Trustees Genender and Stilz II

Absent: Trustees Stilz III and Gottsacker

Mayor votes yes to break the tie.

Motion carried.

Trustee Stilz II motioned to adjourn the April 11th, 2006 Regular Board Meeting; seconded the motion by Trustee Genender.

All in favor say aye, motion carried.

The April 11th, 2006 Regular Board Meeting adjourned at 8:29 p.m.

Kathy Metzler, RMC, CMC

Village Clerk