

## September 12, 2006 Regular Board Meeting Minutes

### **September 12th, 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.

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, Building Official Russ Kraly, EMA Coordinator Mark Gottsacker, Police Commander Mike Robinson and Village Attorney Derke Price

#### **Establishment of quorum**

Mayor Mueller added to the agenda the following items:

Under Reports and Communications #9 Utility Clerk Debbie Zwicker

Under Business J add #10 Charlie Wooley with AAIM to talk about Drunk Drivers

#### **Agenda Approval**

Trustee Walkington motioned to approve the agenda; seconded by Trustee Bonds.

Roll Call:

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

Motion carried.

#### **Public discussion and/or comments from the floor:**

**Mark Ehrenberg, 155 Tall Oak Drive, Hainesville, IL 60073** – read a letter which stated that the reason there was increased attendance at the last meeting was due to the need for a control in the escalation of taxes, the burned out building, speeders and drunk driving. The letter is attached for the record.

Mayor Mueller explained the burned building was an arson issue and waiting for the insurance company to give the okay, and yes it is an eyesore. The other issues call the police if you see speeders. Taxes, the village can't do anything about that.

Trustee Stilz II stated he is unclear why it has taken a year and a half to tear down the building.

Attorney Price stated there was a case out of the Lake County Court House in Waukegan where the judge ordered the demolition of the homes and he was reversed and the appellate withstanding. This was a very high hurdle to clear for the village to get a demolition order for houses if the owner is involved in anyway in the proceedings. If they are completely abandoned and the owner doesn't fight then you can get the order from the court to demolish. The owner, in our case, would like to keep the structures so the judges won't give you the orders.

Attorney Price stated we have tried this in several communities in Lake County and we are trying again, which will be covered later tonight. Once there is arson and a fire then there has been a crime, the judges will be more lenient.

Attorney Price has spoken with the team leader of the State Farm team and they are now complete in their investigation and they are releasing the structures back to the owner who can now get his demolition permit. Discussion took place.

**Frank Lezneck, 409 Deer Crossing, Hainesville, IL 60030** – stated he spoke to the Mayor about an issue with the Building Department. Your building codes state that a shed has to be 10 feet away from a main building, not past the end of the house. Frank is questioning a home on his street. Frank stated he was told by Kathy Metzler that she spoke to Russ and she thought everything was in compliance, but he would have to talk to Russ. Frank stated if this is going on in the village what else is. Frank felt if it were him, he would have been fined. Mayor Mueller deferred this to Russ Kraly, Building Official. Russ stated that he discussed this with Frank when he came in tonight and this is a temporary move, the resident will tear it down by next spring. Why did you state it was in compliance, Russ stated it is not. Frank asked if you need a permit to move the shed? Russ stated as long as you stay in the guidelines. Resident Jerry Noble stated he will take down the shed in two weeks. Discussion took place.

#### **Omnibus Vote Agenda**

1. A Motion to Approve the July 25th, 2006 Public Hearing Meeting Minutes
2. A Motion to Approve the August 22nd, 2006 Regular Board Meeting Minutes
3. A Motion to Approve the May 2006 Financial Statements
4. A Motion to Approve the June 2006 Financial Statements

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5. A Motion to Approve the July 2006 Financial Statements

6. A Motion to Approve the Bills Payables for September 2006

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

Roll Call:

Ayes: Trustee Walkington, Stilz III,

Trustee Genender asked for discussion regarding the payables for September 2006 regarding a bill for a retired police badge. Trustee Stilz II would like to know why we are giving legal opinions to the Police Department in Round Lake Park? Attorney Price stated this is a Hainesville matter. A Former Chief of Police had a retired chiefs badge that was in the purse of his wife. When she went to the courthouse the security system in Rolling Meadows went off and it was confiscated by the Police Department at the courthouse in Cook County. They returned it to our police department who in turned asked if they were obligated to return this to the retired chief. (There was paperwork from the prior mayor, from the Village of Hainesville, actually giving him the badge.) Trustee Stilz II asked who the retired Chief was. Mayor Mueller stated that Mayor George Benjamin gave the retired chief the badge.

Discussion of the Omnibus Vote Agenda Continued:

Chief Filenko didn't want to give the badge back and the retired Chief threatened a lawsuit, which is why the subject ended up with Attorney Price. Mayor Mueller ultimately returned the badge.

**Roll Call Continued:** Ayes: Trustee Genender, Trustee Bonds

Trustee Stilz II asked about the light pole that got hit, Kelly stated we have all the insurance information. It will be submitted to our insurance and also the insurance for the person who hit the light pole is more than willing also.

**Roll Call Continued:** Ayes: Trustee Stilz II

Trustee Genender questioned the financials statements for May for \$2,144 for an RHMG invoice and wants to know what this is for. Treasurer Kelly Hensley stated she could excuse herself and get the invoice that is in her office if Trustee Genender would like a copy. Trustee Genender wants to know what this is for before we vote on it.

Attorney Price stated that you already have approved the expenditures with the monthly payment of the bills that lead up to that quarterly financial statement, you can't take the money back.

Trustee Walkington stated we approved this, now we are discussing this, that was suppose to be taken off before we approved this, why are we going thru this now. Trustee Genender stated she would like to know what this is for. Kelly will put a copy of the invoice in everyones box.

**Roll Call Continued:** Ayes: Trustee Gottsacker

Motion carried.

### **Reports and Communications from Mayor and other Officers:**

#### **Mayors Report**

Mayor Ted Mueller was going to report on the demolition of the old building. It is going to happen; it will be torn down and leveled.

Yesterday we had a very productive meeting regarding the Bike Path extension from Washington Street to Walgreens. Trustee Stilz II attended the meeting and will report on that in his public works report.

#### **Clerks Report**

Clerk Kathy Metzler stated that we have two new existing building businesses in the village; La Fuente Restaurant Corp., where Hillary's use to be and then next to Mobile, Vickie Faught Insurance Services.

Clerk Metzler is starting to work on a newsletter. If you have any articles please submit them to her by Friday, October 6th.

Deputy Clerk Debbie Zwicker and myself are attending a meeting tomorrow at the Lake County Clerks Office. We will be picking up our courtesy petition packets for the candidates April 17th, 2007 Consolidated Election.

Mayor Mueller stated that tomorrow the 120 corridor planning council is meeting between 6:30 and 9:00 at the new Round Lake Public Works building.

#### **Treasurer Report**

Treasurer Kelly Hensley reported with the approval of all the above financials and our audit being presented tonight, she is pretty caught up. Currently Kelly is working on the annual treasurers

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report, which is a yearly requirement and will present that to the Board in September along with the August Financials.

### **Police**

Police Commander Mike Robinson had nothing to report.

### **Building Official**

Building Official Russ Kraly stated you have his report.

### **Public Works Supervisor**

Public Works Supervisor Jeff Gately stated that Kramer Tree Service would be out in the next two weeks to do the ash borers merit spraying. They have all the addresses.

Jeff will contact Piper and Sons to replace some of the parkway trees that we missed early this spring, which will be done in the next couple of weeks.

### **EMA Coordinator**

EMA Coordinator Mark Gottsacker reported that last Tuesday, Wednesday and Thursday they were in Springfield. This conference draws more and more people every year. They present a good conference. Mark stated he will be putting out a memo in everyone's mailbox to look at and then present it to the residents.

### **Attorney**

Attorney Derke Price stated he and the Mayor walked the path at Cranberry Lake. Most residents have complied; there is still one encroachment that is left remaining. Attorney Price sent them a letter. There are encroachments where people have planted grass where there should be natural plantings. As you know we have taken the direction we weren't going to force them to dig that up and do plant the natural plantings however, that doesn't excuse people for cutting down trees. To the gentleman's point about the community watching for speeders and wanting to increase the enforcement, the same goes for behind Tall Oak Drive. If you see someone taking down trees etc. we need to know. It is everyone's interest to protect that area, it is an asset for all the people of the Village of Hainesville and we need all of the Village of Hainesville to be diligent in the enforcement and protection of it.

### **Utility Clerk**

Utility Clerk Debbie Zwicker stated that everyone has a copy of her letter that is required by the IEPA to make sure that the Cross Control Connection Program is done properly and that there is not contamination with our water system. Cross Connection is any single family home, any business and any multi-family dwelling that hooks into our water system. The village is required to send to 10% of our connections within the village randomly. 125 letters will be mailed out tomorrow. This is a two-page survey, which we will collect, Manhard will then look at them and we will retain them in a file here. If the IEPA has any questions we will have the documentation that we did do this survey.

Debbie also wanted to keep the board up to date regarding the utility billing. Debbie has been looking at when meter reads are taken and when bills are issued and due dates of the utility bills. Right now the reads are done the last business day of the month, bills are due the first Saturday of the month and the new bills go out two days later on that Monday. We have looked at what other municipalities do and what we have decided to do is the following: we will issue the bills on the 15th day of the month and then have the bills due the 10th of the following month. These dates are subject to change due to the calendar days.

The October bills will be issued on October 16th and due on November 10th.

### **Reports of Standing Committees:**

**Finance** – Trustee Walkington discussed in their committee meeting tonight two service contracts that will expire in 2007. Tomorrow night he will be talking to Jeff and public works so they can get the bid packets ready for the spring of next year

**Public Safety** – Trustee Gottsacker stated he has two items under business.

**Grant Procurement** – Trustee Genender had nothing new to report.

**Village Hall Landscaping** – Trustee Bonds stated she and the Mayor will be doing a final walk through around the grounds. Several items will be credited to the village; a dead tree and a tree not planted due to our water-looping situation. We will have a few hundred dollars credited. We will walk through; pay Lawnmasters and next spring we will decide what we need to do further with the landscaping.

**Public Works/Public Property/Open Spaces** – Trustee Stolz II attended the meeting with the

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head of the grant committee, the civil engineers in charge of the Lake County Highway Department and one of his design people, Pat Anderson, Avon Township Highway Commissioner, Chip Parrot with RHMG and Mayor Mueller. The county will design the bike path. Avon Township Road Commissioner Pat Anderson has made a substantial offer to pay for the bike path from Washington Street to South of the property line of Avon Township Ball Fields. There still will be \$300,000 on our part to finish the job. To put in a ten-foot wide bike path down the rest of Hainesville Road from the South end of Avon Township Ball fields to Walgreens along with two pedestrian crossings for Hainesville Road at Tall Oak Drive and North Avenue will cost \$300,000. There are no grants available.

We will have all this information along with the cost from RHMG. Mr. Parrott will give us a cost proposal for an in-depth cost estimate, which this will be the third one. Hopefully we will have this by the next board meeting. Discussion took place.

Trustee Genender asked if this could also be put in the village survey. What will the residents think about a walking bike path? Mayor Mueller called Ryland Homes after their meeting to see if they would be agreeable to widening their portion to ten-feet. Ryland Homes said they would get back to the Mayor.

It was discussed that the whole Board would come up with questions for the village survey that will go out in the next newsletter.

Trustee Stiliz III asked if we should contact another engineer due to having two costs studies done already. Attorney Price stated he understands your frustration, unfortunately across the board just about every project has been off on budgeting whether it be construction manager or engineer. We could look at another engineering firm but you would have to go thru the professional services act. Discussion took place. Trustee Stiliz III asked how much would it cost to get an estimate from RHMG? Trustee Stiliz II stated we will get this all put together and talk about it in two weeks.

### **Business**

#### **Financial Statements and Auditor's Report – Leynette Kuniej**

Treasurer Kelly Hensley introduced Leynette Kuniej from Ogorek and Associates who has worked with our village for ten years and is here to present the audit. You have a draft of the audit report. Leynette conducted the audit and reviewed all your financial records and was able to come away with the opinion stating that the Village is in compliance. This is the second year that the new GASB format is out, we were able to do a management letter that summarizes a lot of the activity last year. Good information is in there about the differences between the last two years. Trustee Stiliz II stated this is a lot of information and it would be helpful to have more time to review it. Kelly stated that if you have any questions right now Leynette will address them, she will go over the audit now. Leynette discussed the audit. The Mayor thanked Leynette and stated that we will put this on the agenda for the next meeting for the final acceptance. If anyone has any questions, please contact Kelly or Leynette.

#### **Second hand Smoke Ordinance – Discussion Only**

Mayor Mueller stated that Clerk Kathy Metzler put a post out to the other villages and received information on other communities. Does the Village of Hainesville want to enact no smoking in public buildings?

Trustee Genender stated lets put the question out to the residents in the village survey and also put it on the website.

#### **Illinois Emergency Management Mutual Aid System Agreement**

Trustee Gottsacker explained the agreement.

Trustee Stiliz III motioned to approve the IEMMASA; seconded by Trustee Genender.

Roll Call:

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

Motion carried.

#### **IEMMAS Resolution**

Trustee Gottsacker explained the Resolution.

Trustee Stiliz II motioned to approve the Resolution; seconded by Trustee Stiliz III.

Roll Call:

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

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Motion carried.

Resolution # R06-09-25

### **An Ordinance Amending Title 10, Vehicles & Traffic Section 10.08.020 – Regulation of Parking on Village Streets**

Mayor Mueller stated that this ordinance refers to parking around Holiday Lane. Attorney Price stated he was asked to prepare this ordinance after having discussion with Trustee Gottsacker regarding Holiday Lane. Attorney Price stated if you have three cars or more registered at that address you would be eligible for parking and get a hangtag.

Trustee Gottsacker motioned to approve the Ordinance; seconded by Trustee Stiliz III.

Mayor Mueller stated he spoke to Deputy Chief Burch and he suggested under Section 2C that we add upon proof to the Village of the registration of three or more cars.

Discussion took place regarding the Village has two ordinances; one for the single-family homes and one for Holiday Lane. Trustee Genender asked why couldn't the Village have one ordinance. Mayor Mueller stated that the single-family home ordinance could be amended and we could wave the \$50 fee because we sell one overnight parking sticker a year. Discussion took place.

Trustee Bonds left the council chambers at 8:17 p.m. and returned at 8:23 p.m.

Treasurer Kelly Hensley left the council chambers at 8:25 p.m. and returned at 8:27 p.m.

Trustee Genender recommended that we do one ordinance for the whole village, no overnight parking and if you will need to park in the street for more than three days, then get a placard.

Trustee Gottsacker stated that initially with Holiday Lane we had to go look at all the cars that were parking there, cars parking from Cranberry Lake South that were parking on Holiday Lane, issues with people sleeping in cars on Holiday Lane etc. etc. everything rotated around Holiday Lane. So that is what we discussed and that is where this came out of. If we need to modify the other ordinance within the village to take care of the village fine, but this had to do with Holiday Lane. We didn't have to have the police look at the garages all they have to do is come forward and show proof if they have more than three vehicles, then they will get the placard. You had said this has become so overcrowded with everyone else's cars and cars for sale etc. etc. Discussion took place.

Trustee Stiliz II stated since the homeowners association has different standards for where you park your car and given they have off street parking shouldn't we just include Big Horn and Triumph so that we are covered. Attorney Price stated that Trustee Stiliz II has made an amendment, if the maker and the secondary of the original motion accept that, it can be added.

Discussion took place regarding snow plowing.

Trustee Gottsacker and Trustee Stiliz III agreed with the amendment. Attorney Price stated now the motion is to approve this ordinance adding Big Horn and Triumph and adding the language of the Mayor. That is the current status of the motion. Mayor Mueller asked do we realize what we are doing? Discussion took place.

Trustee Genender stated lets get in touch with Cranberry Lake Board and see if they will be willing to allow residents to park behind the garage like Cranberry Lake North and then we can do the no parking on the streets between 2 and 6 a.m. and have one thing through out the village.

Trustee Genender motioned to table to contact the associations; seconded by Trustee Stiliz III.

Trustee Walkington asked what is the time frame? Mayor Mueller stated he will contact both presidents.

Roll Call:

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

Motion is tabled.

### **An Ordinance Amending Title 12, Streets, Sidewalks and Public Places Section 12.20.120 – Cranberry Lake Walking Path**

Attorney Price stated this ordinance was drafted after talking with Trustee Stiliz II and the Boards direction. It concerns wheeled vehicles on the Cranberry Lake Walking Path however; we cannot discriminate against a disabled person who uses a wheeled device of any kind for a public path.

Trustee Stiliz II stated there isn't a fine in the ordinance. Attorney Price stated there is a standard violation of any ordinance, which starts with \$50.

An Ordinance Amending Title 12, Streets, Sidewalks and Public Places Section 12.20.120 – Cranberry Lake Walking Path Continued:

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Trustee Stiliz II motioned to approve the Ordinance; seconded by Trustee Stiliz III.

Roll Call:

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

Motion carried.

Ordinance # 06-09-71

Trustee Stiliz II asked if we are going to put signs up regarding the ordinance and a fine. Mayor Mueller stated we will add a sticker to the existing signs so we don't have to purchase new signs. Jeff Gately stated this should go in the newsletter. Clerk Metzler stated we can put this on the website also.

### **Wetlands SSA vs. Tax Referendum**

Attorney Price explained the memo.

Trustee Stiliz II thanked Attorney Price and also would like to have time to look at this. It was discussed to put this back on the agenda in one month and to put a new copy of the memo into the packet again.

### **Hainesville Town Center Concept Review**

Trustee Stiliz II excused himself from this matter.

Jeff Gately left the council chambers at 8:49 p.m. and returned at 8:51 p.m.

Mayor Mueller stated this is for a consensus approval to allow you to proceed further.

Dave Hurley, 27613 W. Bayview Drive, Ingleside, IL introduced himself. Dave is proposing the final plat as divided. We would like to relocate the existing retention physicality where lot three is on the drawing and move to the westerly boundary of the site. This would serve as a nice buffer for the residential area. They would like to extend North Avenue for access to the site from the East. Discussion took place. RHMG has reviewed the calculations to removing the detention from the East side of the Property to the West side and reconfiguration of the pond and their response is this is technically okay and this is subject to final engineering. Attorney Price stated if the Board isn't willing to give you an easement then you have to start over. Discussion took place.

Trustee Walkington asked if they would be willing to do the road? Trustee Walkington doesn't want to grant an easement if they just want to take care of this little strip. How will the village benefit?

Scott Wallach, 5139 Bridlewood Court, Long Grove – Scott asked you are wondering how the village will benefit. Trustee Walkington stated how much are you planning to improve? Scott stated that this would bring in fine retail into the village. Discussion took place. Mayor Mueller stated that he doesn't want RHMG to do a cost study he would like your engineer to do a cost study.

Trustee Stiliz II asked on behalf of the developer, is it our understanding that if we can come to an agreement on what we need to do to North Street that this Board will grant us the easement required.

Mayor Mueller asked for a Consensus of the Board. Attorney Price stated this is not binding, you are setting a precedent for the development community. If you are interested in building out the rest of the village with commercial traffic you have to be people of your word in this kind of process. Trustees Walkington, no problem if we can agree on a reasonable solution for North Street, Stiliz III no problem, Genender put up lots of bushes, trees and landscaping, Bonds no problem, Gottsacker no problem and Mayor Mueller also doesn't have a problem. .

Trustee Stiliz II returned to his trustee seat at 9:14 p.m.

### **IDOT Resolution**

Jeff Gately stated this is MFT money for our street program. We have to pass a resolution for IDOT to release money from the MFT for our street program. Attorney Price left the council chambers at 9:14 p.m. and returned at 9:16 p.m.

Trustee Stiliz II left the council chambers at 9:15 p.m. and returned 9:17 p.m.

Jeff stated that Chip Parrott with RHMG recommends approving the resolution for \$108,240.70 plus 10%, which would be \$10,824.70.

Trustee Bonds motioned to approve the IDOT Resolution with 10% added for engineering fees; seconded by Trustee Stiliz III.

Roll Call:

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

Mayor Mueller thanked Charlie Wooley for waiting and gave her the floor.

AAIM The Alliance Against Intoxicated Motorists – Charlie Wooley

Trustee Genender thanked Charlie for waiting. Trustee Genender stated originally she spoke to Diane but she has passed away and gave her sympathies for the family of Diane and the family members of AAIM.

Treasurer Kelly Hensley left the council chambers at 9:18 p.m. and returned at 9:20 p.m.

AAIM The Alliance Against Intoxicated Motorists – Charlie Wooley Continued:

Trustee Walkington left the council chambers at 9:18 p.m. and returned at 9:23 p.m.

Charlie stated they don't want people to drink and drive, take a cab home. Charlie stated that when she speaks, she uses her husband's impact statement. When someone is being sentenced in the courts the family is allowed to give an impact statement. Charlie is the step mom so her husband and the mother were able to read their statement about their son that was killed by a drunk driver.

Charlie read the impact statement.

Drunk Driving is something we need to fight. Whatever we can do, whatever ordinance that can be passed, whatever villages can do to help the citizens of the village so that none of your family members are affected would be a benefit to everyone in the village.

Trustee Genender asked if the Village could make a donation to AAIM. Attorney Price stated we aren't allowed to use tax funds for any charitable organization. If there are expenses we can defray on a fundraiser they do then we can do that. Not allowed to spend tax dollars no matter how worthy.

Trustee Stilz II stated anyone who thinks passing a DUI impoundment ordinance for people who are habitual offenders and think that would give the Village of Hainesville a poor reception by the rest of Lake County as a speed trap, then your wrong.

Trustee Stilz III said one of the comments at the last meeting was we only had four DUI's, but he received stats from the clerk circuit court and so far we have sixteen, which numbers don't matter because one is too many. We need everyone's support to keep coming out until we pass this ordinance.

Mayor Mueller stated we did have the ordinance on an agenda and it was tabled. Attorney Price explained that we have to work with the Lake County States Attorneys office. We cannot prosecute as a Village the DUI offenders without the permission of the Lake County States Attorney. Discussion took place.

Trustee Stilz II would like the DUI Ordinance on the agenda for the next meeting.

Mayor Mueller asked for a motion to join AAIM as a corporate organizational membership for a \$100, Trustee Genender moved: seconded by Trustee Stilz II.

Roll Call:

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

Motion carried

Trustee Stilz II stated the last two meetings we have had the privilege of being taped by a private person. When she said she was going to do this for the residents that aren't able to attend the meeting. How will some one who isn't here see the tapes? Clerk Metzler asked resident Laura Shields to step up to the microphone.

Laura Shields, 327 Katherine Drive, Hainesville, IL 60030 – contacted channel 18 the Lake County access channel and asked if the DVD's can be put on the channel and is waiting to hear back from them. Other than that Laura plans on showing them to her neighbors so they can see what is going on. Trustee Stilz III stated if you need help getting them on channels let us know. Trustee Genender motioned to go into executive session to review six-month executive session minutes and probable litigation issues; seconded by Trustee Stilz III.

All in favor say aye, motion carried.

The Regular Board Meeting ended at 9:40 p.m. took a 10 minute break and entered into Executive Session.

The Regular Board Meeting entered back in at 10:12 p.m.

Trustee Stilz II motioned to enter back into regular session; seconded by Trustee Walkington.

All in favor say aye, motion carried.

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### **To Vote on once out from Executive Session:**

Clerk Metzler asked for a motion to approve the June 13th, 2006, June 27th, 2006 and the August 8th, 2006 with amendment to be approved but not released.

Trustee Stiliz II motioned to approve the June 13th, 2006, June 27th, 2006 and the August 8th, 2006 with amendment to be approved but not released; seconded by Trustee Bonds.

Roll Call:

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

Motion carried.

Mayor Mueller asked for a motion to direct Attorney Price to proceed with the legal issues as discussed in executive session.

Trustee Stiliz II motioned to direct Attorney Price to proceed with the legal issues as discussed in executive session; seconded by Trustee Gottsacker.

All in favor say aye, motion carried. Trustee Genender stated she wanted to abstain.

Trustee Stiliz II motioned to adjourn the September 12th, 2006 Regular Board Meeting; seconded by Trustee Bonds.

All in favor say aye, motion carried.

The September 12, 2006 Regular Board Meeting adjourned at 10:14 p.m.

Kathy Metzler, RMC, CMC

Village Clerk