

March 13, 2007 Meeting Minutes

March 13th, 2007 Regular Board Meeting Minutes

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Ted Mueller at 7:02 p.m. Public Works Supervisor 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, 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 and Village Attorney Derke Price

Absent: Building Official Russ Kraly and Police Deputy Chief Dan Burch

Establishment of quorum

Agenda Approval

Trustee Stilz II suggested moving the Prairieview School Presentation up to the beginning of the meeting.

Mayor Mueller stated he has moved this up to public discussion for when everyone is present.

Trustee Stilz II motioned to approve the agenda; seconded by Trustee Stilz III.

Roll Call:

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

Motion carried.

Trustee Gottsacker left the council chambers at 7:04 p.m.

Omnibus Vote Agenda

1. A Motion to Approve the February 13th, 2007 Simultaneous Lottery for Ballot Placement Meeting Minutes

2. A Motion to Approve the February 27th, 2007 Regular Board Meeting Minutes

3. A Motion to Approve the March 2007 Bills Payable

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

Roll Call:

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

Trustee Gottsacker was out of the council chambers at the time of Roll Call.

Trustee Gottsacker returned into the council chambers at 7:06 p.m.

Motion carried.

Public discussion and/or comments from the floor:

Georgeann Duberstein, 82 Tall Oak Drive, Hainesville, IL 60073 – reported that the Great Age Club is collecting items for our “Support our Troops” and they shipped off six large boxes to our unit. There is a box and listing of items in the foyer for all residents to contribute.

In regards to the campaign signs on the agenda, as a candidate, Georgeann respectfully requests that the campaign sign ordinance stay as it is. Georgeann feels that there shouldn't be any signs in the right of way in front of individual homes. Mayor Mueller stated he is sorry he brought it up at the last meeting and recommends leaving it as is. Our Attorney will explain why we shouldn't touch it later on.

Deputy Chief Dan Burch entered the council chambers at 7:06 p.m.

Chelsey Tiffany and other classmates from Mr. Macs 3rd Grade Class representing Prairieview School presented some cards and drawings and some letters from student council thanking the Round Lake Park/Hainesville Police Department for putting an officer in front of the Prairieview School to help with directing traffic. Mayor Mueller also thanked the police for putting an officer at the school.

Jim DeNomie, 120 Tall Oak Drive, Hainesville, IL 60073 – The last time he commented at public discussion it was in regards to issues happening on the ice on Cranberry Lake. Now that the ice has melted there are still some issues regarding bags of beer cans. He feels it is probably young folks. I don't want to enter the addresses into the minutes but have the addresses of the places behind the homes where the beer cans were. Mayor Mueller stated to please give him the addresses and pictures and we will do what we can.

Mr. DeNomie stated there still are some homes where the fences don't mean much and they have extended their backyard into the preserves. Attorney Price stated this is an enforcement issue and we can send out a letter.

Attorney Price gave an update on Cranberry Lake. The Village does own the lake but there are certain restrictions. There are no motorized vehicles, sleds are okay, fishing is permitted,

March 13, 2007 Meeting Minutes

hunting and trapping is prohibited. The issue there is a paragraph that prohibits the removal or destruction of trees or plants and topsoil, rocks and minerals. If you are going to allow residents to launch a boat you need to do it in a safe way otherwise you should prohibit it. Attorney Price did state that this will have to be on a future agenda and come to a decision about an ordinance.

Mayor Mueller did state we do have an ordinance prohibiting snowmobiles anywhere in the Village.

Mr. DeNomie also had a concern regarding the path and the signs that say pedestrian traffic only, there were three kids digging their bike tires into the path. Attorney Price stated that the village could do an education campaign with the parents that is the best

Jim DeNomie, 120 Tall Oak Drive, Hainesville, IL 60073 – Continued:

we can do. Trustee Stilz II stated we need some enforcement policy for the walking path. That walking path is a \$20,000 bill.

Mr. DeNomie stated we spoke about this a year and a half ago before the transfer took place. All the single family residents here kicked into that pool for maintenance of the lake and the area around the path. He is asking what happened to the money? Attorney Price stated they turned over \$40,000 or \$60,000; I don't have the figure off the top of my head, look at what was collected at the closing and look at the bills that were presented, those numbers work out. They did spend the money as indicated, the balance is correct. Was the money spent on maintenance or the original development? We believe it was on development and that is why we are in litigation with Deer Point. Discussion took place.

George Duberstein, 82 Tall Oak Drive, Hainesville, IL 60073 – stated his understanding is the \$46,000 was only to be spent by two entities neither the builder or the developer. Attorney Price stated that that arrangement wasn't working for anyone that is why we ending up owning the Lake. Attorney Price stated that the Army Corp didn't want to maintain this and that is how it was written. The Army Corp said they aren't involved and it isn't their problem. Deer Point had to pay to maintain this, and you have to look at what they spent it on. Discussion took place.

Barbara Jersey, 120 Tall Oak Drive, Hainesville, IL 60073 – stated her issue from day one is she has expressed that the lake is one of the greatest assets in the community. This burns Barbara because there is trash and destruction around the lake. Ignoring it is not maintaining this and to go five to six years without doing anything while we pay the kind of taxes that we do.

Doug Williams, 154 Tall Oak Drive, Hainesville, IL 60073 – so we can go on, what are our options? Trustee Stilz II stated you are being taxed \$10 a year, the other side has no impact in their pocket book. The mayor thanked Doug. Trustee Walkington asked since they are being taxed now where is that money going? It is going into the SSA fund. Discussion took place.

Reports and Communications from Mayor and other Officers:

Mayors Report

Mayor Ted Mueller attended the Metropolitan Mayors Caucus Executive Board yesterday and two key items were brought up about the two Bills in front of our legislators; Senate Bill 500 & House Bill 246. These two bills will make the entire state of Illinois Smoke Free. The mayor asked for the residents input so he can write a letter with the preferences of the residents.

The other bill was the Education Reform Task Force. Our education system is broken and needs fixing and one statistic is Illinois is the 5th wealthiest state in the country, but we are in the middle when it comes to education funding.

The trailer next to Mobil will have more samples taken and if there is no contamination then per the owner, Gene Wright of J & L Oil, will remove the trailer.

Mayor Mueller stated regarding the boarded up townhouse in Union Square, he spoke to the managing agent and this will be foreclosed at the end of the month and she will contact the bank.

Clerks Report

Clerk Kathy Metzler stated she is meeting with Jill Koch regarding the newsletter Wednesday at 2:45. Letters have been mailed out today to all the candidates regarding the March 27th forum. In the letter is a "Rules for Candidates' Forum" agreement, which needs to be read and signed and returned to me by March 23rd. Joan Kaltsas with the League of Women Voters will be the moderator. Both the Mayor and Clerk Metzler have spoken with Joan. Once you receive your letter if you have any questions, feel free to call me. Trustee Stilz II asked who wrote the letter. Mayor Mueller stated it came from Joan.

Treasurer Report

Treasurer Kelly Hensley was asking for a request for a motion to approve the February Financials.

Treasurer Hensley explained this is the first monthly financial statement off of the new system. Kelly

March 13, 2007 Meeting Minutes

explained the reports and stated the reports are clearer to read. The system is working wonderfully. It has been a nice and easy transition.

Trustee Genender motioned to approve the February Financials; seconded by Trustee Stilz III.

Trustee Stilz II asked how did the bill from Manhard get paid? Treasurer Hensley explained it was on the bills payable for the meeting that was cancelled due to the snow. Mayor Mueller stated he authorized to pay the bills. Kelly stated that the mayor and herself both felt if there was a problem with the contractors that they would credit us, we have a great working relationship with them. The Mayor stated since this Kelly and the Mayor agree they will not pay any bills until they are on the agenda for Board approval. Trustee Stilz II stated if a bill is unclear we have to wait until we have a description. Treasurer Hensley stated you had this in your packet, if you have a problem, call Kelly and tell her to hold the bill if you have a question. The Mayor stated the procedure now is no bills will be paid until the Board has approved them.

Roll Call:

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

Motion carried.

Treasurer Hensley also stated Leynette, who is our auditor has resigned from Ogorek and Associates.

Kelly spoke with Attorney Price before the meeting and suggested we should go out for the RFP, which we will be working on shortly.

Treasurer Hensley will start the prep work for the next fiscal preparation.

Police

Police Deputy Chief Dan Burch had nothing to report.

Building Official

Building Official Russ Kraly was not present.

Trustee Stilz II asked about the review of the sewer and water connection fee ordinance that seems to be out of line with the surrounding villages, can we review this? Mayor Mueller stated yes we are going to review.

Deputy Clerk Debbie Zwicker left the chamber council at 7:48 p.m.

Public Works Supervisor

Public Works Supervisor Jeff Gately is anticipating having the Cranberry Lake Subdivision done with the register meter changeovers this month. Now that he has a new programmer on hand we are doing appointments again for the meters that can't be mounted in.

Jeff wanted to discuss with Marcia McCutchan about the MFT because the streets are really bad. The mayor asked Marcia to report.

Village Engineer Marcia McCutchan gave an update on the elevated tank repainting, which you authorized last fall. The preconstruction meeting is scheduled for March 22 and starting shortly thereafter.

Deputy Clerk Debbie Zwicker entered the chamber council at 7:50 p.m.

Marcia McCutchan stated that Chip Parrott met with Mayor Mueller and Jeff Gately a few weeks ago and prepared cost estimates which was based on resurfacing within the Settlement and the Sanctuary and doing crack sealing and patching elsewhere in the village. With the conditions as a result of this winter, this was the worst winter for the pavement. This was hard on the streets. As a result, you have damage to different areas in the Village that were not reviewed previously so at this point the estimates don't include the additional damage. Our approach would be to continue with the resurfacing in the Settlement and the Sanctuary and doing crack sealing and patching throughout the village. Marcia asked if you wanted to revisit that approach.

Trustee Stilz II stated you are going to have to redo the whole idea. We are on the same page but there are trench settlements everywhere. Now the pavement cracks so

Public Works Supervisor Continued:

now the water can go in. Trustee Stilz II fears that there will be sewer service failures because of the impact from the vehicles into the trenches that are settling. Maybe we can accelerate 2007 MFT and put both 2006 and 2007 together. We need to do this soon. Jeff was out today patching a sinkhole next to a catch basin. Jeff stated this was a large hole; we will be lucky to get a month out of that patching.

Trustee Stilz II would like at the next board meeting in April to have someone from your firm to go out with Jeff and himself to inspect the roads and bring all the roads with problems back up to speed.

EMA Coordinator

EMA Coordinator Mark Gottsacker stated April 10th Stormwater Management is conducting a course on sand bagging and training. If you attend this class dress appropriately, you will be filling sand bags.

March 13, 2007 Meeting Minutes

Attorney

Attorney Derke Price stated Stephanie Posey is working on the personnel manual and will have the draft by the next meeting.

Reports of Standing Committees:

Finance – Trustee Walkington had nothing to report.

Public Safety – Trustee Gottsacker had nothing to report.

Grant Procurement – Trustee Genender had nothing to report.

Public Works/Public Property/Open Spaces – Trustee Stilz II stated he spoke with Chip Parrot regarding the cost analysis and the best way to service the Village Hall and the west side of the railroad tracks along Route 120 which does not have sewer or water.

Business

Manhard Consulting Water/Wastewater Operation Assistance Contract – Terry Grom stated he is involved with water operation maintenance contracts. Our contracts are put together to tailor the needs to the community. They include the basic scope of services and our staff handles chemical testing monthly and sampling etc. The second section is the responsibilities of the village what the village pays for utility costs, spare parts, inventories and chemical costs and thirdly this would be the extra work item paragraph labor intense like sewer line flushing, system flushing, things outside the normal scope that we provide for the Village. Since these items are labor intense they are billed on time and material basis. Terry explained the contract. Discussion took place.

Trustee Genender motioned to approve the contract with Manhard as written with the exception under the term amount we put estimated; seconded by Trustee Gottsacker.

Trustee Stilz II was speaking privately with Attorney Price and with the advice of the attorney maybe it should say as opposed to estimated fee, not to exceed. Mayor Mueller suggested that Terry Grom comeback with a new contract.

Trustee Genender withdrew her motion and Trustee Gottsacker withdrew his second.

Village Hall Cleaning

Mayor Mueller stated that Pat Oborny, our cleaning lady has some personnel issues and will not be cleaning the Village Hall after March 30th. Mayor Mueller turned this over to Jeff Gately. Jeff stated in your packet you have a quote from Clean Sweep and the job duties are also attached. Their quote is when they clean the council chambers it is \$75. and just clean not including the council chambers it would be \$66. and they would come in on a Friday morning. Megan Metzler also was interested in cleaning the Village Hall for \$65. a week. We did interview her and would like to give her a try. Mayor Mueller stated that Megan would report to Jeff not to Kathy or himself. Trustee Stilz II stated we are spending other people's money. We should have three bids. That is how it should be. Trustee Stilz II had a business card of someone from Round Lake. Mayor Mueller asked for a consensus do we want to go out to bid for \$65 a week? Trustee Walkington asked is this a bidding process? Attorney Price stated this is not required to go out for bid. Jeff stated we have never gone out to bid for the cleaning service. Trustee Walkington stated to try Megan and if it doesn't work out we can always get rid of her. Then Trustee Stilz III stated the dollar amounts are out so yes for her, Trustee Genender would like to see two more quotes and references, Trustee Bonds stated no problem with Megan doing the work and Trustee Stilz II stated if she can put up with the consequences it is okay with him and Trustee Gottsacker stated he doesn't have a problem. Trustee Stilz II motioned to hire Megan Metzler as a part time Public Works employee to clean the toilets and the village hall; seconded by Trustee Walkington.

Roll Call:

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

Abstain: Trustee Genender

Motion carried.

AT&T Infrastructure Investment – Discussion Only

Dave Stral stated that AT&T is our investment in Hainesville not Hainesville's investment in AT&T. Dave Stral is the director for external affairs for AT&T and is joined by his colleges Susan Link and Jerry Noble, a former Board member.

AT&T is ready to launch the choice of U-verse Cable TV. You all have packets about the products. To bring this service to Hainesville the project light speed is the infrastructure upgrade that will allow us to deliver this U-verse service. To bring service to Hainesville they are looking to place three above ground, double door cabinets in key

March 13, 2007 Meeting Minutes

AT&T Infrastructure Investment Continued:

locations in our community that will drive fiber optic technology. Trustee Bonds asked where these cabinets would be placed and Dave Stral stated he would disclose this in executive session only. Mayor Mueller did state that as a resident he wouldn't want one of these in his front yard. Dave Stral stated they would need to enter into a video agreement with municipalities in order to turn this service on and they currently have six in place. Discussion took place.

Mayor Mueller asked if they know where the three locations would be? They know exactly where they would be. Dave Stral stated that Trustee Stolz II requested to review these with him and the Mayor stated he would also.

Mayor Mueller wanted to poll the Board. Attorney Price stated there are risks here that need to be discussed in executive session, this was suppose to be discussion only. Attorney Price spoke about the risks and that Comcast has threatened to sue municipalities that consider this. Discussion took place. Trustee Stolz II stated what he thought the Mayor was asking for was there a sense that we would like to take this to the next step. Mayor Mueller is just asking for a consensus and that this is not a commitment. Trustee Walkington stated yes, Trustees Stolz III and Genender would like more information, from the attorney. Attorney Price explained that Attorney Simon sits on the committee that does this with the municipalities. What are the next steps, we can double track this and talk about where do we put these cabinets, building permits etc. but we have to have this agreement in place to protect the Village from the competition. Trustee Bonds stated she doesn't have a problem and Trustee Stolz II stated in order to go forward he would like to put a committee together that would include Jeff Gately, the Mayor and Trustee Stolz II. Trustee Gottsacker stated to go to the next step, great idea; he will also like to sit on the committee. Dave asked for the Village to set a meeting date.

Ratify the Policy Manual

Mayor Mueller stated at the last Board Meeting he asked for a consensus to approve Ancel Glink to compile our policy manual for a fee for not to exceed \$3,000 which was approved.

Trustee Stolz II motioned to ratify the contract; seconded by Trustee Bonds.

Roll Call:

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

Motion carried.

Campaign Signs

Mayor Mueller stated this is no longer an issue. We will adhere to the ordinance. Attorney Price stated this was put on the agenda because it was tabled at the last meeting. This is not an action item and we won't be taking any action. If you were to try to take action it would have to say on the agenda to ratify or approve.

Trustee Stolz III asked about the Banner and sign at the dry cleaners at the Firestone strip. Can you have both? Mayor Mueller will look into it.

Entrance Ways

Trustee Genender wanted to address this issue. Over in Cranberry Lake south there is a bunch of mold that has been there for a year and a half. Jeff will be replacing the mulch. Jeff is looking into fabric to put down before the new mulch is put down. All the junipers that were removed under the signs will be replaced. Jeff stated that with the development on Route 134, that south long island will partially be removed.

Mayor Mueller stated it will be kept picked up.

Trustee Stolz III asked Jeff for an update on the Emerson Property from the last meeting. Attorney Price stated he would talk about this. This is enforcement and compliance and we have started the process.

Mayor Mueller stated he is working on this and the home has been red tagged.

Trustee Stolz III asked if Mayor McCue agreed to pay for the full study. Mayor Mueller stated yes, they will pay. She is going to sign the agreement. Trustee Stolz II asked the attorney if Round Lake Park should sign a Reimbursement of Fees Agreement. Mayor Mueller has given him a verbal okay to go ahead with the study. Attorney Price stated you respect another local unit of government and they have taken action and given the assurance. Trustee Stolz II stated if they show us they have taken action and it is in the minutes that they have voted on this and they will pay for this then there won't be a problem. Mayor Mueller stated the Round Lake Village Board has approved it.

Trustee Genender motioned to adjourn the March 13th, 2007 Regular Board Meeting; seconded by Trustee Bonds.

All in favor say aye, motion carried.

The March 13th, 2007 Regular Board Meeting adjourned at 8:50 p.m.

March 13, 2007 Meeting Minutes

Kathy Metzler, RMC, CMC
Village Clerk