

June 12, 2007 Meeting Minutes

June 12th, 2007 Regular Board Meeting Minutes

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Ted Mueller at 7:00 p.m. Mayor Mueller 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, Barrett, Bonds, Tiffany and Gottsacker

Also present were: Village Clerk Kathy Metzler, Treasurer Kelly Hensley, Public Works Supervisor Jeff Gately, EMA Coordinator Mark Gottsacker, Village Engineer Marcia McCutchan and Village Attorney Jeff Jurgens

Absent: Building Official Russ Kraly

Establishment of quorum

Agenda Approval

Mayor Mueller asked for a motion to table item J5 – Boysen Wells. Trustee Walkington asked if it is removed can we still discuss it. Attorney Jurgens stated yes, you can. Mayor Mueller stated we can leave it on for discussion only.

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

Roll Call:

Ayes: Trustees Walkington, Stilz III, Barrett, Bonds, Tiffany and Gottsacker

Motion carried.

Public discussion and/or comments from the floor:

Georgeann Duberstein, 82 Tall Oak Drive, Hainesville, IL 60073 – stated at the last board meeting Mayor Mueller stated he was having Integrated Lakes Management come up with a 5-year proposal plan for maintaining all the wetlands in the Village. Georgeann asked what this would include. Mayor Mueller stated it includes control burns, getting rid of the buckthorn, controlling the purple loose strife and the cattails. Georgeann asked if this will go out to bid, which Mayor Mueller stated it could. Discussion took place regarding getting proposals from other qualified firms. The Mayor stated he would like to have a Town Hall Meeting for the residents, have a public hearing and then go out for bid if necessary. Mayor Mueller stated he will form a committee. Georgeann asked if she could be on the committee and the mayor said yes.

Jim DeNomie, 120 Tall Oak Drive, Hainesville, IL 60073 – at the last meeting you discussed expanding the SSA to the entire village charging up to \$80. a year. If this goes to referendum half the community can turn this down. The issue here is about time and money regarding the abatement program. Discussion took place. Mayor Mueller stated by the next board meeting a committee will set up a timetable. Jim stated he has a Cranberry Lake Buckthorn Chronology which he would like entered into the minutes. Douglas Williams, 154 Tall Oak Drive, Hainesville, IL 60073 – stated in the last two weeks he had an incident on the path, one where someone was walking a dog that was unleashed and attacked his dog and the other one was someone was cutting down bushes on the path because they are so overgrown. Mayor Mueller stated he was already aware of this, he has the police report. Douglas also questioned that there hasn't been any public safety reports and there isn't police representation here, what is our relationship with the police. Mayor Mueller would like to hold this off to his Mayors report.

Barbara Jersey, 120 Tall Oak Drive, Hainesville, IL 60073 – discussion took place regarding the East side and the West side with support for the Cranberry Lake SSA. The SSA is only paid by the West side and she feels that is braking up this community. That is why we are all coming forward, you have a financial responsibility to do something about this. You have to look at the over spending. If you put chips on a third of the path, you have already over spent what we pay into the SSA every year. You will need to look for some competitive bids. Gary needs to have people on his committee that are from the community; let's stop this East side and the West side. Discussion took place. Barbara expressed her opinion regarding the bidding ordinance and the Village asking the community for more money on issues.

Omnibus Vote Agenda

1. A Motion to Approve the May 22nd, 2007 Regular Board Meeting Minutes
2. A Motion to Approve the June 2007 Bills Payable

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

Roll Call:

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Ayes: Trustees Walkington, Stilz III, Barrett, Bonds, Tiffany and Gottsacker
Motion carried.

Reports and Communications from Mayor and other Officers:

Mayors Report

Mayor Ted Mueller stated there could be activity on the two acres at the entranceway to Deer Point. That is under contract and the due diligence period is lasting thru the end of the month. It is possible we will have a pair of office buildings there. The developer will take down the signs within hours after the closing, if this happens. Trustee Stilz III asked for more information on this project. The Mayor stated he received the drawings today and has them in his office, see him after the meeting. They are not final drawings; they are subject to review by RHMG.

Mayor Mueller stated you probably have heard a rumor that the Village of Hainesville is looking to start its own police department. We are considering this. There aren't any details right now; we are looking into this. Trustee Stilz III stated we should tell the public why. Mayor Mueller stated this is all that can be said. Trustee Stilz III asked if we are allowed to talk about anything. Mayor Mueller stated not at this time, this will be covered in executive session. A few residents tried to ask questions and Mayor Mueller stated there was no more public discussion. Doug Williams stated that the Mayor was out of order not allowing them to speak, we pay your salary and it should have been on the agenda. Attorney Jeff Jurgens stated this will be discussed in future meetings; this is just a heads up due to the rumors that are being circulated. Mayor Mueller stated to Doug if you continue to interrupt he will close the meeting. Mayor Mueller stated I wanted to give you the heads up and will tell more when he has further information. Trustee Stilz III wanted to know when the Mayor anticipates being able to share more information with the public. Mayor Mueller stated it depends on what takes place in executive session tonight.

Clerks Report

Clerk Kathy Metzler stated her item is under business.

Treasurer Report

Treasurer Kelly Hensley stated she met with the finance committee tonight and reported that she should have a rough draft of the appropriation by the next meeting.

Building Official

Building Official Russ Kraly was not present.

Public Works Supervisor

Public Works Supervisor Jeff Gately introduced John Caniff who is Jeff's summer helper. John started last Tuesday and is a great worker. We are happy to have him and board and thank you for allowing him to have John.

The Cranberry Lake meters are done. We will now focus on Misty Hill and would like to have it all wrapped up by September 1st.

EMA Coordinator

EMA Coordinator Mark Gottsacker reported the rainfall from last Thursday night was 3.9 inches in the Hainesville area. EMA checked for large standings of water. We had a lot of rain in a short amount of time.

Jeff Gately thanked Mark and Kevin; they were out with Jeff all night on standby. There were a lot of residents in Cranberry Lake without power for sometime. There are a lot of people working behind the scenes. Jeff wanted to remind everyone that EMA is a volunteer program.

Attorney

Attorney Jeff Jurgens stated his item is under business.

Village Engineer

Village Engineer Marcia McCutchan has one item under business.

Reports of Standing Committees:

Finance – Trustee Bonds had nothing to report.

Public Works – Trustee Walkington had nothing to report.

Public Safety – Trustee Gottsacker had nothing to report.

Third Annual HainesvilleFest – Trustee Tiffany stated he has something for safety. Before the meeting Jim handed out a letter that he received at the Diaz. Mayor Mueller stated to Trustee Tiffany that all Trustees received a copy of the letter addressed to them individually. Mayor Mueller has already forwarded this issue to the police. People are concerned that there is parking at Cranberry Lake that shouldn't be. Trustee Stilz III asked if the police responded. Mayor Mueller said not yet. Trustee Stilz III stated that in Executive Session at the last meeting we were told not to say anything about the police. Now

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you came out and told the residents that we are looking. Trustee Stilz III questioned the attorney regarding this, why can't the rest of the information come out. This is very confusing, is there a problem with now giving out the information. Mayor Mueller stated yes there is. When the manager of the CITGO station came up to him when he was pumping gas and said he heard a rumor that you are going to start your own police department. It is time that the Mayor does publicly say yes, we are thinking about it. There is a leak out there. Attorney Jurgens stated he recommends that we do not talk about what was discussed in the last executive session. We will talk more tonight in executive session.

Trustee Tiffany stated we have been fielding phone calls for interest to participate in the festival. The ladies in the office have been sending out letters to past volunteers. The date for the first festival meeting will be June 25th, 2007 at 7:00 p.m. at the Village Hall. If you would like to volunteer to be on a committee please attend. Bring any ideas you have. Trustee Bonds has volunteered to help by making phone calls and making arrangements while Trustee Tiffany is at work. Trustee Tiffany would like to establish a budget for the festival for any shortcomings that come from donations. We are down \$600 less from last year from two donations. Trustee Stilz III asked about how much you want the budget to be? Trustees Tiffany and Bonds were in the finance committee tonight and looked into the past budget which was \$5000 and would like to up it to \$7500. Trustee Bonds stated last year it was \$7500 but it was assumed we will get in \$5000 in donations. We kept the figures the same as last year. Trustee Stilz III asked how much do you want. Trustee Tiffany stated that we will use all donation money first. Trustee Tiffany is estimating we might receive \$3400 to \$4000 in donations.

Business

Hainesville Crossing (Release of Escrow Money)

Village Engineer Marcia McCutchan stated you have a letter in your packets. The only outstanding issue previously was Lake County DOT which is now satisfied.

Trustee Stilz III motioned to release the escrow money; seconded by Trustee Gottsacker.

Roll Call:

Ayes: Trustees Walkington, Stilz III, Barrett, Bonds, Tiffany and Gottsacker

Motion Carried.

Prevailing Wage Ordinance

Clerk Kathy Metzler stated this is required every year which is mandated by the State of Illinois. This is publicly posted here at the Village and by July 15th Clerk Metzler has to file a certified copy with the Secretary of States Office. Then 30 days after filing with the Secretary of State she will have to publish a notice in the newspaper.

Trustee Barrett motioned to approve the Prevailing Wage Ordinance; seconded by Trustee Bonds.

Roll Call:

Ayes: Trustees Walkington, Stilz III, Barrett, Bonds, Tiffany and Gottsacker

Motion Carried

**Ordinance #07-06-79

Clerk Metzler stated she left her ordinance numbers in her office. Clerk Metzler apologized and stated she will give everyone a listing tomorrow.

Ratify Hiring Public Works Helper

Mayor Mueller stated at the last executive session meeting we did authorize hiring a public works helper. We didn't have the approval on the agenda after we came out of executive session. However, we did have a consensus.

Trustee Walkington motioned to ratify hiring John Caniff; seconded by Trustee Gottsacker.

Roll Call:

Ayes: Trustees Walkington, Stilz III, Barrett, Bonds, Tiffany and Gottsacker

Motion carried.

An Ordinance Raising the Bidding Requirement from \$10,000 to \$20,000 for Public Works and Improvement Projects

Attorney Jeff Jurgens stated the logic behind passing this ordinance. Two years ago the general assembly amended this portion of the municipal code that allows villages to raise the bidding requirement from \$10,000 to \$20,000. This provides the municipality with a little more flexibility. Mayor Mueller stated this would allow us to approve up to \$20,000 without going out for bid, which applies only to public works projects. Trustee Stilz III stated he doesn't see a need to change this.

Trustee Stilz III motioned to approve the ordinance; seconded by Trustee Barrett.

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Village Engineer Marcia McCutchan stated for public works projects you are required to do a formal bid package; which takes time. Discussion took place

Roll Call:

Ayes:

Nays: Trustees Walkington, Stilz III, Barrett, Bonds, Tiffany and Gottsacker

Motion failed.

Village Hall Water Main Looping – Boysen Well Easement

Mayor Mueller stated we left this open for discussion. You have the information from the attorneys in your packet. Attorney Jeff Jurgens stated we need to ascertain the correct amount of recapture. Deer Point has ten days to get back to us. The Village could pass this, but my recommendation would be to table this until the next meeting. We can make sure the \$3100 number is concrete. Marcia McCutchan stated she knows that that number is low. Treasurer Hensley asked if the issue regarding tap on fees are clarified. Attorney Jurgens stated we will provide that we are waiving the villages tap on fees we are not waiving Lake County's tap on fees. Marcia McCutchan stated they are already connected to Lake County Sewer this is just for water. Trustee Walkington asked we are waiving the tap on fees so they will grant us the easement. Marcia McCutchan stated they are paying the recapture fees of \$3100 with additional interest money that has yet to be determined. Attorney Jurgens asked Marcia if we will have this for the next board meeting and Marcia asked have we requested this from Deer Point. Discussion took place regarding water usage of 10,000 gallons. Mayor Mueller stated they have two washrooms and we have a billed minimum of 10,000 gallons. Boysen Wells would like to be billed on actual usage. Trustee Stilz III asked if they sold the business would it be subject to the 10,000 gallon rule. Mayor Mueller stated this goes with just the present owners. This will be on the agenda at the next meeting.

Remote Attendance (Electronic Participation)

Mayor Ted Mueller stated in order for anyone to participate electronically we have to pass this ordinance.

Mayor Mueller feels with the use of cell phones, this should be prohibited while driving.

Attorney Jurgens stated as of January 1st, 2007 there is a new law. Prior to this a lot of governments would allow Trustees to call in and participate electronically in the meetings. There were not a lot of guidelines.

This bill requires that if the Village of Hainesville is going to pass this ordinance then they have to enact rules. You have to qualify one of three reasons to call in; person illness, employment purposes and a family emergency. You have to have a physical quorum at the Village Hall. Discussion took place regarding the rules that the Trustees want added into the ordinance. It was discussed the number of meetings missed should be written into this, how many disconnections will be allowed with a cell phone. Discussion took place. Attorney Jurgens will tailor this ordinance for the Boards review at the next meeting.

An Ordinance Establishing a System of Administrative Adjudication for Building, Housing and Zoning Ordinance Violations in the Village of Hainesville (Code Enforcement)

Mayor Ted Mueller stated that Building Official Russ Kraly can issue a warning but not a ticket for zoning violations. The police in most communities do not issue tickets for code violations; ordinances yes, but not code violations. Discussion took place.

Trustee Stilz III motioned to pass the ordinance; seconded by Trustee Walkington.

Mayor Mueller stated the motion is for it, if you vote no it is voted down.

Roll Call:

Ayes:

Nays: Trustees Walkington, Stilz III, Barrett, Bonds, Tiffany and Gottsacker

Motion failed.

2007 MFT Program Various Streets Maintenance

Village Engineer Marcia McCutchan stated this is a potential schedule. If we pass the Resolution tonight we do have verbal approval from IDOT for our MFT program. Once the Resolution is executed by the Board then we will get the information to IDOT this week. We will advertise thru IDOT June 21st, the bid opening would be July 6th for Board approval and award at the July 10th meeting for the MFT work this year. A letter was in your packets with the scope of the MFT; with a map showing the scope and a cost estimate. This includes milling and resurfacing the remaining streets in the Settlement and Sanctuary and then patch crack and crack sealing work on all the other streets in the village along with minor sidewalk repairs and inlet adjustments. The cost estimate is \$265,000, the Villages MFT fund right now is \$241,000. You can limit the scope to the amount of the MFT Fund; we can do all the work and use funds

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from another source in village or to reduce the scope of the work to less than the MFT fund budget. Treasurer Kelly Hensley stated that the MFT fund of \$241,000 was our bank balance ending May 31st. We get approximately \$8200. a month from MFT, so in three months time we would have enough to do the full \$265,000. Public Works Supervisor Jeff Gately stated that we had a very bad winter with the streets. Discussion took place.

Trustee Walkington motioned to approve the Resolution with the amount of \$241,000; seconded by Trustee Barrett.

Roll Call:

Ayes: Trustees Walkington, Stilz III, Barrett, Bonds, Tiffany and Gottsacker

Motion carried.

**Resolution # R07-06-33

Ride for Kids

Trustee Barrett explained the Ride for Kids which will take place on July 15th, the Annual Pediatric Brain Tumor Foundation Ride for Kids. They raise over six million dollars a year for pediatric brain cancer research. Mayor Mueller asked what the donation was last year, Clerk Metzler stated \$200. for the last two years.

Trustee Stilz III motioned to make a donation in the amount of \$225. for the Ride for Kids; seconded by Trustee Walkington.

Roll Call:

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

Abstain: Trustee Barrett

Motion carried.

Trustee Barrett motioned to go into executive session to discussion probable litigation and personnel issues; seconded by Trustee Bonds.

All in favor say aye, motion carried.

The Regular Board Meeting ended at 9:03 p.m. and entered into Executive Session.

Trustee Bonds motioned to enter back into the Regular Board Meeting at 9:44 p.m.; seconded by Trustee Barrett.

All in favor say aye, motion carried.

The Regular Board Meeting reconvened at 9:44 p.m.

To Vote on once out from Executive Session:

Mayor Mueller stated the Board recommends 3% raises across the Board for the Village Staff and Jeff Gately will also received \$150. a month for the insurance stipend.

Trustee Gottsacker motioned to approve the recommended raises; seconded by Trustee Bonds.

Roll Call:

Ayes: Trustees Walkington, Stilz III, Barrett, Bonds, Tiffany and Gottsacker

Motion carried.

Trustee Barrett motioned to adjourn the June 12th, 2007 Regular Board Meeting; seconded by Trustee Stilz III.

All in favor say aye, motion carried.

**Ordinance and Resolution numbers added after the meeting was adjourned.

The June 12th, 2007 Regular Board Meeting adjourned at 9:46 p.m.

Kathy Metzler, RMC, CMC
Village Clerk