

November 13, 2007 Meeting Minutes

November 13, 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. 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, Barrett, Tiffany and Gottsacker

Also present were: Village Clerk Kathy Metzler, Treasurer Kelly Hensley, Building Official Russ Kraly, Public Works Supervisor Jeff Gately, EMA Coordinator Mark Gottsacker and Village Attorney Derke Price

Absent: Trustee Bonds

Establishment of quorum

Agenda Approval

Mayor Mueller stated he would move Item K Executive Session prior to public discussion.

Trustee Barrett motioned to approve the agenda as amended; seconded by Trustee Stilz.

Roll Call:

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

Absent: Trustee Bonds

Motion carried.

Trustee Walkington motioned to enter into executive session to discuss imminent litigation; seconded by Trustee Stilz.

The Regular Board Meeting ended at 7:03 to enter into Executive Session.

Trustee Walkington motioned to enter back into the Regular Board Meeting at 7:07 p.m.; seconded by Trustee Stilz.

All in favor say aye, motion called.

No action was taken in Executive Session.

Public discussion and/or comments from the floor:

Mayor Mueller welcomed Sandy Cole and Bob Powers our representatives.

Georgeann Duberstein, 82 Tall Oak Drive, Hainesville, IL 60073 – wanted to remind everyone that the Great Age Club is sponsoring a collection of toiletries and goodies for the patients at Winchester House by December 4th.

George Duberstein, 82 Tall Oak Drive, Hainesville, IL 60073 – stated on the agenda under item #5 under business about the resolution calling for an advisory referendum. George asked if there would be public discussion while this item is being discussed, which is what he would prefer. Mayor Mueller stated the item on the agenda is a counter resolution and if you want to talk you should do it now. George stated the way that the resolution is quoted is incorrect. This is not a resolution that the citizens filed with the Village. It is not a resolution to determine whether the village should provide retirement benefits to long term employees. George read what it should say, “Should the Village of Hainesville permanently obligate its taxpayers to participate in the Illinois Municipal Retirement Fund for the benefit of its employees?” There is a difference here. When this petition was filed in August, George stated that this is not directed to anyone in particular. The issue is should the village obligate itself under this particular plan which once you get involved in it you can never get out of it. It obligates the village to support the current employees while they are working but after they leave as well as new employees that come. This is about \$20,000 for the first year. The residents should be able to say yea or nay. Mayor Mueller stated your referendum is going on the ballot. This is an addition to it. So the residents will have the option of voting for one or the other. A representative from IMRF will be here in December to discuss the plan with the Trustees. At that time the Trustees will have a chance to have questions answered. This is a referendum just like yours. George stated this is not the only option for a retirement plan. Mayor Mueller stated we are aware of it. George stated there is a 457 plan and Mayor Mueller stated we are well aware of it. George stated this is not directed that the employees are not hard working and don’t deserve any kind of a pension. Georgeann Duberstein stated it is not the Village being obligated it is the residents and the taxpayers!!! Georgeann read a passage from the IMRF booklet. Georgeann is concerned about how the village has the alternative referendum worded. It is very broad and you aren’t being open and honest! In her opinion, and she deferred to Attorney Price, legally if you are going to have a referendum it should have some facts in it and not just la la and love everyone and get along! The hardworking employees deserve something, and the original referendum never said that that wasn’t the case. You need to look at other options.

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Mayor Mueller stated that referendum is going to be open for the Board to decide if we want to put this on the ballot or not. We may not want to; it is up to the Board.

Doug Williams, 154 Tall Oak Drive, Hainesville, IL 60073 – stated he is in concurrence with Georgeann the village employees are like a family and we do believe that they deserve a retirement benefit. While campaigning the number one concern is taxes and we need to consider the residents, can they afford the taxes?

Treasurer Kelly Hensley asked Attorney Price if the village chooses to go with the IMRF does it show up on the tax bill. Attorney Price said no, not as a separate line item. It shows up in our corporate fund. Whatever other obligations the village has and has to fund these would be spread across the entire tax base. It will not be an extra line item. Kelly asked so next year taxes, if it comes on it won't be a 6% per individual tax bill. Just spread across everything in our corporate line. Attorney Price stated this is a pension fund; you are putting up reserves for future liabilities. The issue is that those liabilities change over time with investment returns and all the other things that happen with IMRF and there comes a point where your IMRF funding may have a deficit or may have an extension, you still are in the tax cap you still have to extend it but it becomes the priority of funding. It has to get funded first and other services would come second. That is the point of the one referendum, should this be an ongoing tax liability recognizing it may have priority.

Mayor Mueller commented that this village has the hardest working, most dedicated staff of any village in the area, or in Lake County or even in the State! They are entitled to retirement benefits. We have been talking about this for two mayors prior to me and it is about time that we gave this staff a retirement plan, whatever it is. They work hard, you all know they are right there, they always pitch in. They are entitled to a retirement plan.

Georgeann Duberstein, 82 Tall Oak Drive, Hainesville, IL 60073– stated that has never been the issue. Georgeann wanted to remind the Trustees that you were elected by the residents to represent the residents to do the best thing for the residents! So, if you think that obligating them for the rest of the history of Hainesville, to pay this particular pension plan, then Georgeann thinks your priorities are askew and the other thing is the corporate world is trying to get away from pensions.

Mayor Mueller will investigate the 457 plan. Mayor Mueller stated that the bottom line is, this staff works very hard for you guys and are entitled to something! Whether it be IMRF, 457, 401K, this resolution wouldn't have been on the agenda if it weren't for yours.

Omnibus Vote Agenda

1. A Motion to Approve the October 23rd, 2007 Regular Board Meeting Minutes
2. A Motion to Approve the November 2007 Bills Payable
3. A Motion to Approve the April 2007 Financials
4. A Motion to Approve the May 2007 Financials
5. A Motion to Approve the June 2007 Financials
6. A Motion to Approve the July 2007 Financials
7. A Motion to Approve the August 2007 Financials
8. A Motion to Approve the September 2007 Financials

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

Roll Call:

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

Absent: Trustee Bonds

Motion carried.

Reports and Communications from Mayor and other Officers:

Mayors Report

Mayor Mueller reported that on Monday November 26th he, Trustee Bonds and Treasurer Hensley will sit with Veolia to fine tune the garbage contract. Walter Willis, executive director of SWALCO will be with us. We already had one meeting and hopefully we can come to some sort of agreement to bring a contract before the Board in December. Rates will go up a little bit; we will see how hard we can negotiate with them.

Regarding the Bike path, the Avon Township portion between Washington and the end of the Avon Township Ball field, the bid opening will be November 27th, so it is in the works. It won't happen this year, but it will next year. Not sure where ours is at this time, but Mayor Mueller will be touching base

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with the Lake County Public Works. Hopefully, that will go out to bid early spring and get it done next year also.

Clerks Report

Clerk Kathy Metzler is working on the newsletter which all articles need to be into the clerk by Tuesday, November 27th.

Clerk Metzler reported on behalf of Trustee Bonds who is spear heading the Santa's Visit. Mr. and Mrs. Santa are going to be visiting the Village of Hainesville on Saturday, December 8th from 2 p.m. to 5 p.m. There will be a wish list box in the foyer from November 26th thru December 8th. Goodie bags will be given out to all the children that come to visit Santa. Hope kids and grand kids can come.

Mayor Mueller stated we will have birthday cake after the meeting to celebrate all the birthdays in 2007. We have been in executive session so much we haven't been able to celebrate the birthdays quarterly.

Treasurer Report

Treasurer Kelly Hensley reported our audit was supposed to be started today but it will be on Thursday. Hopefully we will get it presented for the next board meeting.

Treasurer Hensleys next item, tax levy, is under business.

Police

Police were not present.

Building Official

Building Official Russ Kraly stated you have my monthly report.

Public Works Supervisor

Public Works Supervisor Jeff Gately updated everyone that he is back on the radio reads. He has sixty homes left to do and then the whole village will be completed. The bulk will be done by Thanksgiving. Two weeks ago Friday Jeff did walk the force main with John Rucker from Manhard and checked our as-bult drawings to make sure that the air relief valves are where they are suppose to be are. Tomorrow night at our public works meeting they are suppose to report with some type of maintenance plan.

Mayor Mueller stated that he rides Jeff daily on the radio read conversions.

EMA Coordinator

EMA Coordinator Mark Gottsacker defer to public safety.

Attorney

Attorney Price stated he will talk under business items 2, 3 and 4.

Village Engineer

Village Engineer Marcia McCutchan gave a quick update on the MFT. The contractor Payne and Dolan were having some difficulty with the subcontractor to finish the restoration. As of today they are using a different subcontractor to get the final restoration work done prior to Thanksgiving. There will be a pay request on the Village Board Agenda in December.

Mayor Mueller asked the status of the watermain looping. Engineer McCutchan stated there are two issues, one was the easement. Mayor Mueller stated from talking with Chip that this is a simple project that could be done in the winter. Marcia stated It is ready to go out for bid she needs someone to tell her to publish it. Mayor Mueller would like to make this project a high priority. Attorney Price will check with Attorney Jurgens, thinking there is one last agreement we are waiting on. George Gaffkes attorney is slowing us down.

Reports of Standing Committees:

Finance – Trustee Bonds was not present. Trustee Tiffany had not report.

Public Works – Trustee Walkington had no report.

Public Safety – Trustee Gottsacker stated at the request of Georgeann Duberstein he will put something in the newsletter.

Wetlands – Trustee Walkington had nothing to report.

Business

Tax Levy Resolution

Treasurer Hensley stated she wasn't at the last board meeting but put notes in the board packet. The resolution that is before you is the same that you have seen; the calculations have been done and looking for passage of the resolution. Last years tax levy resolution to this year it is an increase of 5.6% not per homeowner per the assessed value of the village. Last years resolution when the Board approved it come the Spring time when the tax bills were getting prepared by the county, they have to do all the calculations to make sure everyone didn't go over our tax, which we did so they lowered it.

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Once this has been approved Kelly will send out a notice to the papers. There will be a public hearing on December 11th, 2007 at 6:30 p.m. for the truth and taxation hearing, and then put the ordinance on for passage.

Trustee Walkington motioned to approve the Tax Levy Resolution; seconded by Trustee Gottsacker.

Roll Call:

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

Absent: Trustee Bonds

Resolution # R07-11-39

An Ordinance Amending the Municipal Code of the Village of Hainesville by the Addition of Chapter 13.30 Establishing Standards for the Construction of Facilities on the Right-of-Way

Attorney Price explained that item numbers 2, 3 and 4 are a part of a bundle of ordinances that we recommend to the Village. Attorney Simon sits on the coalition of municipalities and cable service providers who have worked out terms for the benefit of the municipalities. Our citizens expect a certain level of service and we expect construction quality when they use our right-of-way. So item numbers 2, 3 and 4 ordinances will make sure that other technologies that use the right-of-way and provide cable services to the Hainesville residents comply.

Trustee Barrett motioned to approve the an Ordinance Amending the Municipal Code; seconded by Trustee Stilz.

Trustee Walkington asked if these are just right-of-ways what about easements? Attorney Price stated if they have an easement from us it would be part of the easement agreement to meet with our standards.

Roll Call:

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

Absent: Trustee Bonds

Ordinance #07-11-86

An Ordinance Establishing a Cable/Video Service Provider Fee

Attorney Price stated this is part of the bundle.

Trustee Stilz motioned to Approve the Ordinance Establishing a Cable/Video Service Provider Fee; seconded by Trustee Walkington.

Roll Call:

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

Absent: Trustee Bonds

Motion carried.

Ordinance # 07-11-87

An Ordinance Adopting the Cable and Video Customer Protection Law

Trustee Stilz motioned to Approve the Ordinance Adopting the Cable and Video Customer Protection Law; seconded by Trustee Walkington.

Roll Call:

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

Absent: Trustee Bonds

Ordinance #07-11-88

A Resolution Calling for an Advisory Referendum to Determine whether the Village should provide Retirement Benefits to Long-time employees.

Mayor Mueller stated you heard discussion during public discussion. There is a referendum question on the ballot, do we want to add a counter resolution to that, which we don't have to do. These are just advisory questions.

Trustee Walkington stated he sees no reason to put it on at this time.

The consensus of the Board was Trustees Walkington, Barrett, Stilz Tiffany and Gottsacker were all in agreement there was no reason to put this on the ballot.

Trustee Walkington motioned to adjourn the November 13, 2007 Regular Board Meeting; seconded by Trustee Barrett.

All in favor say aye, motion carried.

The November 13, 2007 Regular Board Meeting adjourned at 7:42 p.m.

Respectfully submitted,

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Kathy Metzler, RMC, CMC
Village Clerk