

December 1st, 2007 Special Board Meeting Minutes

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Meeting called to order at the Village of Hainesville Council Chambers by Mayor Ted Mueller at 11:01 a.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, Barrett, Tiffany and Gottsacker

Also present were: Village Clerk Kathy Metzler, Public Works Supervisor Jeff Gately, EMA Coordinator Mark Gottsacker and Village Attorney Paul Keller

Absent: Trustees Bonds and Stilz, Treasurer Kelly Hensley and Building Official Russ Kraly

Establishment of quorum

Mayor Mueller stated the purpose of this meeting is to discuss some of the issues and to proceed with starting our own police department. Our relationship with Round Lake Park Police is over; the final notice was given on the 13th of this month. As of February 10th we will no longer have service with Round Lake Park Police. Our goal is on February 10th to have our own police and vehicles on the streets. This is a special meeting so there will be no public discussion. You may address the Trustees or the Mayor after the adjournment of the meeting.

There were residents that were irate in the audience regarding the issue of no public discussion.

Attorney Paul Keller stated there is no legal requirement that the public be allowed to address the council at any Village Board Meeting. The Village Mayor has called this meeting in order to allow the Village Trustees to discuss and decide some issues. This was never intended to be an opportunity for public discussion. Mayor Mueller stated again that there is no public discussion. Doug Williams stated that you adjourn this meeting until we can have public discussion. Mayor Mueller stated upon the conclusion of the meeting you may address the Board. A lot of the residents were yelling at the Mayor and Trustees regarding no public discussion. The Mayor asked the Trustees shall we have public discussion. Mayor Mueller polled the Trustees, shall we have public discussion? Trustees Walkington no and Barrett no.

Attorney Keller advised the Board not to answer anyone in the audience. The Mayor called the police to restore order at the meeting. The residents were still yelling at the Mayor and the Board. Attorney Keller stated there will not be any dialogue between the Trustees and the members of the public. The police arrived and they did remove a few residents. Mayor Mueller apologized for the need to call the police, this is a very important meeting, we need to move ahead. The purpose of the meeting is to obtain some direction. Feel free to contact us after the meeting. Mayor Mueller stated we were elected to make the decisions and that is the decision we will make. You are free to voice your opinion, but not at this meeting.

Agenda Approval

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

Roll Call:

Ayes: Trustees Walkington, Barrett, Tiffany and Gottsacker

Absent: Trustee Stilz and Bonds

Motion carried

Discussion of Police Services

Mayor Mueller stated the relationship with Round Lake Park over the Police services, in his opinion the services we have received have been outstanding, we have major issues that cannot be resolved. We have received a final notice from Round Lake Park indicating that they are terminating our services as of the 13th of this month. As a result the Village of Hainesville is looking to start its own police department again. We can have our own officers on the streets in our own vehicles by February 10th. The Mayor has had a number of conversations with Chief Larson with Round Lake Beach who has given us tremendous input and advice and is willing to assist us in this endeavor. The purpose of this meeting is to proceed with the hiring of our Chief and acquiring two police vehicles from Round Lake Beach. The EMA vehicle has been striped and will be used as our community service vehicle.

Trustee Stilz entered the Council Chambers at 11:18 a.m.

Mayor Mueller explained that we will need to hire an interim Chief which he would set up the police department with the assistance of Chief Larson and his Deputy Chief Gary Bitler. He would set it up and organize it, establish the scheduling and hire officers. All of this would be done with the approval of the Village Trustees. Mayor Mueller would select the Chief which is common practice, however, he would not be hired until the Trustees have approved.

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Mayor Mueller stated he needs the Boards approval to interview and select an interim Chief.

Georgeann Duberstein wanted to know if this was a legal special meeting. Clerk Metzler stated that this was posted 48 hours before the meeting; it was posted outside and faxed to all the papers, as all meeting notices are posted. Whether they publish it or not, that is not my responsibility. Clerk Metzler stated she does her part and they had it wrong in the paper at 1:00 p.m. she did post it and faxed it for 11:00 a.m. This is a legal meeting.

Trustee Barrett motioned for the Board to interview and select an interim Chief; seconded by Trustee Walkington.

Trustee Walkington asked if interviewing and hiring a Chief, does that tie us to our own police department. Attorney Paul Keller stated what the Mayor is asking for is the authorization to begin the process of interviewing and selection. By the time the Mayor is ready to make an appointment, we will have submitted to you a new section in the Village Code that creates the office of Police Chief and authorizes the appointment of the Police Chief by the Mayor subject to confirmation by the Board. This establishes a procedure for selection and appointment of senior officers and patrol officers. You will have a new section of the Village Code that sets all of this out.

The Chief may be removed by the Mayor with consent of the Trustees. You are not bound to hire anyone else because you've hired a Police Chief, which would be the first step.

Trustee Walkington stated any hiring of a Police Chief which would be an interim Police Chief who would help us set up a police department and police officers.

Trustee Stilz asked if we decide not to go this route, who decides, the Mayor or the Trustees. Mayor Mueller stated he can't make this decision. Trustee Stilz asked about neighboring villages? Mayor Mueller stated most surrounding villages don't have the staff to offer 24 hour coverage; just back up coverage.

Mayor Mueller asked what do we want to do. Trustee Stilz stated lets look into our options. Trustee Walkington stated after February 10th that is the end of our contract with Round Lake Park. Trustee Stilz wanted to add this to the December 11th agenda. Trustee Tiffany was in agreement we have to do something, we have had our own police department before and has heard quite a few people have said, why we don't have another one started. Trustee Gottsacker stated we have to go and bring in someone as an interim as listed and proceed in that process so the residents and the Village is covered. So that come February 10th that we have our ducks in a row. To not have a back up plan already started is not the wisest decision when you need to take care of the residents. Discussion took place.

Trustee Barrett stated in all of the executive session meetings that we have had in regards with the strained relationship with Round Lake Park, it was your comments Wally, to send the letter and get the process started, and you were the most vocal. The Mayor, Trustee Barrett and other people have been working behind the scenes. We spoke to Grayslake and they don't have the manpower, Round Lake doesn't have the manpower. Last time we looked at the Lake County Sheriffs Office that wasn't cost effective. We need to get someone in place and get the process started so we have a back up plan in place which is what we are trying to do now. Discussion took place. Georgeann Duberstein was handing out a paper to all the Trustees and the Mayor. Mayor Mueller had Georgeann removed from the Council Chambers.

Mayor Mueller stated that his understanding was that the entire Board of Trustees were in favor of severing the relationship with Round Lake Park and starting our own Police Department. If we go thru the executive session minutes that can be confirmed. Trustee Stilz stated everyone said they would like to look into the options.

Mayor Mueller stated his intent was to bring the Board together to establish a direction and at the conclusion of the meeting listen to the residents. We were elected to make these decisions.

Trustee Barrett said he doesn't want to withdrawal his motion, we need to continue to move forward and have this option on the table no mater what happens.

Roll Call:

Ayes: Trustees Walkington, Barrett, Tiffany and Gottsacker

Nays: Trustee Stilz

Absent: Trustee Bonds

Motion carried, we will proceed.

Mayor Mueller stated that Round Lake Beach has two vehicles that we can acquire. Trustee Stilz was upset that we would think about this.

Trustee Stilz left the Council Chambers at 11:46.

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Mayor Mueller passed a picture around of the two vehicles and described the cars. These could be our interim police cars. We can have them repainted and put our police logo on it. Mayor Mueller would like another motion to allow us to proceed with the cars. The Mayor isn't sure if there will be a charge or if they will be free. These cars were going to go to auction. Mayor Mueller is asking for a motion to allow me with the assistance of Jeff Gately and Trustee Barrett to procure these two vehicles. Round Lake Beach is having their meeting on Monday and will let us know if there is a charge or not.

Trustee Barrett motioned to allow Mayor Mueller with the assistance of Jeff Gately and Trustee Barrett to procure these two vehicles; seconded by Trustee Walkington.

Trustee Walkington stated before any decision is made on whether or not we would accept them, after you three, all Board members will be polled and their opinions dully noted on whether or not they want to go forward regarding the price. Three people should not control the whole Board. Trustee Walkington feels the whole Board should know before a decision is made.

Trustee Barrett changed his motion that subject to what Round Lake Beach offers for the pricing, whether they are a nominal fee or not that we need to do research on the cost. It could run anywhere from \$5,500 or \$5,600 for a car with no equipment. Move ahead providing that we all see the numbers from Round Lake Beach and make a decision from there. Trustee Gottsacker stated he doesn't believe legally they can sell it to us for more than \$1.00 considering it is from one local government to the other and that the taxpayers dollars have already paid for the vehicles once. Trustee Barrett added also that Mayor Mueller has the authority to research and negotiate for the municipal transfer of two vehicles; seconded by Trustee Walkington.

Roll Call:

Ayes: Trustees Walkington, Barrett, Tiffany and Gottsacker

Absent: Trustees Bonds and Stilz

Motion carried.

Consideration and possible action on the conflicts waiver

Attorney Keller stated Ancel Glink represents both the Village of Round Lake Beach and the Village of Hainesville. Attorney Keller stated without a wavier of this potential conflict Ancel Glink would not be able to represent both Villages in whatever transactions end up taking place from this point on. We are asking for the authorization of the Mayor to sign this letter. This letter has been signed by President Stewart Diamond of Ancel Glink to the President and Board of Trustees for the Village of Hainesville and the President and Board of Trustees for the Village of Round Lake Beach. Attorney Keller read a letter for the record which is attached.

Mayor Mueller thanked the officers and apologized for having to drag them into the meeting and told them to go on with their duties.

Attorney Keller stated this means if Hainesville enters into negotiations with Round Lake Beach which requires the involvement of lawyers, we want to make sure you know that we are representing both parties and you don't have a problem with that.

Trustee Walkington motioned to authorize the Mayor to sign this if Round Lake Beach signs it as well; seconded by Trustee Barrett.

Roll Call:

Ayes: Trustees Walkington, Barrett, Tiffany and Gottsacker

Absent: Trustees Bonds and Stilz

Letter agreement between Village of Round Lake Park and Village of Hainesville

Mayor Mueller explained we haven't been paying Round Lake Park for police services since last June. At the last Board meeting we did approve payment of services based on the \$28,000 plus a month even though they invoiced us \$44,000. The check is in Mayor Mueller's office in the area of \$142,000. Initially Round Lake Park Attorneys advised them not to accept the check. Mayor McCue could use the money. You have a copy of a letter written by Round Lake Parks Attorney that Mayor McCue and Mayor Mueller would sign and then they would accept the check. Mayor Mueller stated all this letter is saying is that we acknowledge that the difference is in dispute.

Trustee Walkington motioned to authorize signing this and delivering the check to Mayor McCue; seconded by Trustee Gottsacker.

Discussion took place regarding what was billed and what was paid.

Roll Call:

Ayes: Trustees Walkington, Barrett, Tiffany and Gottsacker

Absent: Trustees Bonds and Stilz

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Mayor Mueller allowed Georgeann Duberstein to address the Board. She made her comments regarding the police issues.

Mayor Mueller stated he is sorry for having to clear the Council Chamber but it is his decision to conduct this meeting without public discussion, this is his option and right as the Mayor. The Mayor did state that most of the time he allows public discussion.

Trustee Barrett motioned to adjourn the December 1st, 2007 Special Board Meeting; seconded by Trustee Gottsacker.

All in favor say aye, motion carried.

The December 1st, 2007 Special Board Meeting adjourned at 12:20 p.m.

Respectfully submitted,

Kathy Metzler, RMC, CMC
Village Clerk