

August 12, 2008 Regular Board Meeting Minutes

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

Also present were: Chief Ron Roth, Village Clerk Kathy Metzler, Building Official Russ Kraly, Public Works Supervisor Jeff Gately, Village Engineer Marcia McCutchan and Village Attorney Jeff Jurgens

Absent: Trustee Barrett and Treasurer Kelly Hensley

Establishment of quorum

Agenda Approval

Trustee Walkington asked to amend the agenda to remove item #4 under Business; the Native Restoration Services, Inc. Invoice.

Trustee Bonds motioned to approve the agenda as amended removing item #4; seconded by Trustee Tiffany.

Roll Call:

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

Absent: Trustee Barrett

Motion carried.

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

Roll Call:

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

Absent: Trustee Barrett

Motion carried.

The Regular Board Meeting recessed at 7:03 p.m. to enter into Executive Session.

Trustee Stilz motioned to enter back into the Regular Board Meeting at 7:11 p.m.; seconded by Trustee Walkington.

All in favor say aye, motion carried.

Public discussion and/or comments from the floor:

Georgeann Duberstein, Hainesville, IL 60073 – reported that the 4th annual village garage sale was a success. 56 homes participated and 23 families donated what they didn't sell to the Salvation Army. Georgeann also thanked the Village Staff for their help.

John Derenoski, Hainesville, IL 60073 – stated he took place in the garage sale and for the record he thanked Georgeann and anyone else who participated in making it happen. It was a great idea and a huge success. John commented on how terrible the mosquito's are which is due to standing water. Why can't we put water fountains in all of the standing ponds, which keeps the water moving. This would help solve the mosquito problems and look better for the Village. Mayor Mueller stated we and the surrounding communities' contract with Clarke, which they will be out tonight with the helicopter. They are spraying and treating the catch basins etc. There is mosquito control.

John also asked about the house on Clover Court. Mayor Mueller stated it has foreclosed and a certified letter has been sent to the bank. We will give them 10 days to clean it up. The letter was received on the 4th, so we have a few more days. This is a legal process.

Asked if the water restrictions could be changed due to the watering hours are hard to comply with, he would like to water during the day. Mayor Mueller stated these restrictions are typical of other villages. Trustee Walkington stated if you water during the day it evaporates.

John also stated that he knows we can discuss things under public discussion, but why can't the public discuss items after each agenda item is discussed? Mayor Mueller stated this is a standard practice and we will not waiver from that. This is followed in many other communities.

John lives in the Round Lake School District side of Hainesville and would like to know why all of Hainesville can't attend the Grayslake School District. Mayor Mueller stated that the Round Lake School System is an excellent school district. The boundary lines were established way back when. Trustee Gottsacker suggested that John go and petition the school district; they are their own taxing body.

Jim DeNomie, 120 Tall Oak Drive, Hainesville, IL 60073 – wanted to check from the previous meeting the status of the 138 Tall Oak Drive, like Clover Court. The ownership has been transferred. Jim stated that the neighbors having been keeping up the house to keep it looking good. There are definite mold

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problems. Mayor Mueller stated if we know who the owners are we can take action. Jim stated he has the owner information and the owner or attorney doesn't respond to him. Attorney Jurgens stated to Jim to give him the paperwork and he will do the same type of process as we did with Clover Court. Mayor Mueller stated to give him the paperwork and he will save the attorneys fee and he will write the letter.

Omnibus Vote Agenda

1. A Motion to Approve the July 22nd, 2008 Regular Board Meeting Minutes
2. A Motion to Approve the August 2008 Bills Payable

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

Roll Call:

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

Absent: Trustee Barrett

Motion carried.

Reports and Communications from Mayor and other Officers:

Mayors Report

Mayor Ted Mueller explained the map on the wall which shows the proposed bike path that Lake County Department of Transportation is working on. This will extend the bike path all the way from Hainesville Road to Cedar Lake Road. This is on the drawing board.

Residents have asked what has happened at the north end of the bike path. AT&T had to move some of their utilities and poles which has been completed and now the work is in process. This will be completed this year. The south end from Union Square to the wetlands is going out for bid next Tuesday. That will also be done this year from Washington Street to the wetland. Unfortunately there are some engineering issues, Corp of Engineering permitting etc. The Lake County Department of Transportation is looking at two potential bridge designs; either a wood bridge or a steel design. That is the latest on the bike path. It has been slow but it will happen.

Next week residents will be receiving their blue cards from the assessors' office. If you have any questions, and want to appeal your assessments follow the instructions on the blue card and call them immediately to see if you can get this resolved. The Mayor copied some articles regarding assessments which you can pick up after the meeting.

Mayor Mueller asked the Board how they felt about Halloween Trick or Treating. We have been having trick or treating on Sundays. Every village is different. The Chief and the officers would prefer to have it on Halloween. Discussion took place.

Trustee Bonds motioned to continue to have it on Sundays; seconded by Trustee Stilz.

Roll Call:

Ayes:

Nays: Trustees Walkington, Stilz, Bonds Tiffany and Gottsacker

Motion failed.

The consensus was to observe Trick or Treating on Halloween which is Friday, October 31st from 4:00 p.m. to 7:00 p.m.

Trustee Stilz asked the Mayor about the cost of the bike path bridge. The Mayor stated he is not sure; they are working on the engineering. We received an \$85,000 grant courtesy of Sandy Cole for the bike path. The Mayor understands that from Lake County DOT the first stage will come in somewhat under that. Trustee Stilz asked if we might not want to do it due to the price? Mayor Mueller stated he has the numbers in his office but not with him. Trustee Stilz stated why go further than soft ball city until we know what is going on here. Trustee Gottsacker stated that residents might question why we didn't finish up that last little strip of the bike path. Mayor Mueller stated we are committed to the bike path and the plans are to complete it. We will be looking for more grants. Mayor Mueller has some numbers in his file regarding doing the path without a bridge. The consensus was that a bridge was a better way to go than to deal with the Corp of Engineers and having to do the necessary filling and the retaining wall. The bridge might come out less.

For the Record Trustee Stilz stated he is not going to get anywhere. He doesn't see the point in putting in this leg that takes you absolutely nowhere until you have decided 100% that we are going to go with the bridge. Trustee Stilz knows that technically we have already decided that we will go all the way. Currently Lake County DOT is studying two different types of bridges; one using a metal bridge and one using a wooden bridge. They will get the numbers to the Mayor as soon as they can.

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Trustee Walkington stated of the \$85,000 grant money we are obligated to use that money for the bike path. What is the amount of time that we have to use it or lose it? Mayor Mueller stated we don't have any time limit. Trustee Walkington stated that is why Avon Township is putting the bike path from Washington to Union Square because if they don't use that grant money they lose it. Same for us; if we don't use the money, then it is gone.

Trustee Tiffany stated seeing people walk on the street side of the curb, if the walkway saves one life then the cost shouldn't matter.

Clerks Report

Clerk Kathy Metzler is still working on the newsletter, there were a few hold ups and hope it will go to the printers next week.

Treasurer Report

Treasurer Kelly Hensley was not present.

Police

Police Chief Ron Roth stated in the last 30 days we had 225 entries into our records package. 105 traffic warnings issued and 59 traffic tickets. We have quite a few parking tickets for parking on the street overnight. If you are going to park on the street overnight call the non-emergency number to get permission. If you are having your driveway seal coated call the non-emergency number and you have three days limit per year.

Have attended some block parties in the last three weeks. We hand out crime prevention items, stickers for the kids and bumper stickers.

National Night Out was a success. We raffled off a boy and a girls bike. A special thank you to Grower Equipment and Haines Cleaners and the police officers for helping sponsor this. They donated towards purchasing the bicycles and bicycle helmets and some lighting for the bikes. Also a special thank you to the Mayor, Trustee Mark, Trustee Kevin and Jeff Gately for helping us participate in our first National Night Out with our own police department.

For Halloween they are going to order reflective bags for kids to put their treats in.

Trustee Stilz asked if there were still officers in training. The Chief stated yes. We won't have two officers in a car once training is done with? Chief Roth stated if you see two officers in a squad car one is either in training or one is being transported some place. We do not run two people in the car.

Building Official

Building Official Russ Kraly had nothing to report.

Public Works Supervisor

Public Works Supervisor Jeff Gately reported that National Power Rod has completed doing the survey and the cleaning of the sanitary system. They have forwarded the cd's to Manhard for their review. Terry Grom will review them and bring them to one of our next committee meeting for recommendations. Jeff did state that everything looks great and clean. If any repairs have to be done they are very minimal.

There is one line that had a crack in it over on Sanctuary Court. That is all Jeff had heard.

Working on restriping the stop sign lines on the street. All of the Settlement and Sanctuary where they blacktopped has been done. Jeff has gotten into Misty Hill and hoping to get back to it this week. Since, John, his summer helper went back to college Jeff is on his own. Hopefully in the next few weeks he will have Cranberry Lake done and will move forward from there.

EMA Coordinator

EMA Coordinator Mark Gottsacker had nothing to report.

Attorney

Attorney Jeff Jurgens had nothing to report.

Village Engineer

Village Engineer Marcia McCutchan had nothing to report.

Reports of Standing Committees:

Finance – Trustee Bonds had nothing to report.

Hainesville Fest – Trustee Tiffany stated that he and his family participated in Relay for Life on July 26th in Grayslake and the Village was recognized on the banner and around the walking path for their donations.

Hainesville Fest is coming along well but is lacking volunteers. If anyone is interested call the Village. Last year he had forty plus volunteers. He is hoping all board members and village staff can help.

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Trustee Tiffany is in the process of following up on calls for the donations.

Public Works – Trustee Walkington had nothing to report.

Public Safety – Trustee Gottsacker had nothing to report.

Wetlands – Trustee Walkington spoke to Dave and Larry with Native Restoration about ten days ago regarding getting this done. They assured Gary that these last two weeks they would be out there full force. Trustee Walkington will take a walk and see what they have been doing.

Business

Round Lake Park/Hainesville

RLP Settlement Agreement and Mutual Release

Mayor Mueller explained Round Lake Park advised the Village of Hainesville that they hadn't been invoicing enough month to month for our police services for our inter governmental agreement. We challenged that because we felt they were invoicing us and we were paying the amount of the invoice and didn't feel we should pay the difference. We ended up in court and Round Lake Park was suing us in excess of \$550,000. We met with Judge Schostok and negotiated back and forth. Our final counter offer was that we would pay Round Lake Park \$250,000 now and \$50,000 in nine months and they agreed. Mayor Mueller stated we did get police service during the period in question. In the final stages of breaking off we did put into an account the difference what we were paying and what we would have paid, so we have \$148,000 in an account to pay toward the \$300,000. Round Lake Park has approved this. Hopefully, after tonight we will approve the agreement and the issue between Hainesville and Round Lake Park will be over. There are no winners and no losers. We have both given and taken and hopefully we can become friends again.

Trustee Walkington motioned to approve the settlement agreement and mutual release; seconded by Trustee Stilz.

Roll Call:

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

Absent: Trustee Barrett

Motion carried.

An Ordinance Amending the Connection Fees to Sewer Mains

Mayor Mueller stated we will amend the sewer and water main ordinances. Trustee Walkington and Mayor Mueller reviewed our ordinances with Village Engineer Marcia McCutchan and concluded that some of our fees were excessive for a community our size. We will amend them to bring them to a more realistic figure. These are sewer and water tap on fees. They don't include any county fees or any recapture fees. At the next meeting we will enact an ordinance covering the recapture fees.

Trustee Stilz motioned to approve the ordinance amending the connection fees to sewer mains as amended; seconded by Trustee Bonds.

Trustee Stilz asked why we are bouncing around with this. Mayor Mueller stated we are more in line with the surrounding villages.

For the Record: Trustee Stilz stated we should start paying attention to what we are doing before we waste everyone's time.

Attorney Jurgens would like the record to reflect that the Village Engineer has reviewed these and believes these numbers are supportable and reflect what the actual cost will be. Marcia McCutchan stated connection fees typically have to do with capital expenditures and user fees are typically operations and maintenance costs. These are in line with the surrounding communities.

Attorney Jurgens stated a neighboring village had those fees and the village looked at those. Village Engineer Marcia McCutchan stated we need to take out building or structure and change it to read per unit under non residential unit.

Roll Call:

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

Absent: Trustee Barrett

Motion carried.

Ordinance # 08-08-101

For the Record: Trustee Stilz stated you already mentioned Marcia is in the process of figuring out a way to recoup the money we paid Deer Point. He only approved this because you brought that up, otherwise he would never have approved this. Mayor Mueller stated before a building permit is issued the developer will pay a sewer tap on fee that we just approved. They will pay a water tap on fee which is next on the

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agenda. They will pay a recapture fee which we will establish in another ordinance and they will also pay a county sewer fee.

An Ordinance Amending the Connection Fees to Water Mains

Trustee Walkington motioned to approve an ordinance amending the connection fees to water mains as amended with the changes; seconded by Trustee Stilz.

Roll Call:

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

Absent: Trustee Barrett

Motion carried.

Ordinance # 08-08-102

Payne & Dolan, Inc. Pay Request \$28,536.50

Village Engineer Marcia McCutchan asked for this to be tabled until the next meeting. We did not receive a copy of this, they sent this to you and typically it should go to RHMG.

Trustee Bonds motioned to go into executive session to discuss Personnel; seconded by Trustee Walkington.

Roll Call:

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

Absent: Trustee Barrett

Motion carried.

The Regular Board Meeting recessed at 8:15 p.m. to enter into Executive Session.

Trustee Walkington motioned to enter back into the Regular Board Meeting at 9:18 p.m.; seconded by Trustee Stilz.

All in favor say aye, motion carried.

There was nothing to Vote on once out from Executive Session.

Trustee Walkington motioned to adjourn the August 12, 2008 Regular Board Meeting; seconded by Trustee Stilz.

All in favor say aye, motion carried.

The August 12th, 2008 Regular Board Meeting adjourned at 9:18 p.m.

Respectfully submitted,

Kathy Metzler, RMC, CMC

Village Clerk