

## July 28th, 2009 Regular Board Meeting Minutes

### **July 28th, 2009 Regular Board Meeting Minutes**

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Linda Soto at 7:02 p.m. Mayor Soto led the pledge of allegiance to the flag.

Clerk Kathy Metzler took roll call. The following Officials were present: Mayor Linda Soto, Trustees Walkington, Barrett, Duberstein, Tiffany and Derenoski

Also present were: Village Clerk Kathy Metzler, Deputy Clerk Roseann Stark, Treasurer Kelly Hensley, Village Engineer Greg Gruen and Village Attorney Jim Rock

Absent: Trustee Gerry Daley, Building Official Russ Kraly, Public Works Supervisor Jeff Gately and Police Chief Roy McCommons

### **Establishment of quorum**

#### **Agenda Approval**

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

Roll Call:

Ayes: Trustees Walkington, Barrett, Duberstein, Tiffany and Derenoski

Absent: Trustee Daley

Motion carried.

**There was no Public Discussion.**

### **Omnibus Vote Agenda**

1. A Motion to Approve the July 14th, 2009 Regular Board Meeting Minutes

2. A Motion to Approve the July 2009 Bills Payable

Trustee Duberstein motioned to approve the Omnibus Agenda as presented; seconded by Trustee Derenoski.

Roll Call:

Ayes: Trustees Walkington, Barrett, Duberstein, Tiffany and Derenoski

Absent: Trustee Daley

Motion carried.

### **Reports and Communications from Mayor and other Officers:**

#### **Mayor's Report**

Mayor Linda Soto stated that the Illinois Municipal League Conference is coming up this September.

Village Clerk Kathy Metzler put the information at everyone's place; let her know if you will be attending. Do not make any arrangements on your own. All arrangements will be made through the Clerk's Office.

This year they have given the option of attending one-day.

The Hainesville Police Department had its first car show at Prairieview Elementary School. It was well attended. There were several winners; one being a Hainesville resident. We hope to make this an annual event.

A report has been given to the Trustees as to the meetings the Mayor attended. Peter Vole, owner of rental property on Route 120 which has been shut down, met with the Mayor. He will be ready for an inspection soon. Building Official Russ Kraly presented at an earlier meeting that there was a request put into Lake County for them to handle the inspection. Peter Vole felt that Russ was being too hard on him. Lake County has refused to do the inspections and Mr. Vole is aware of this. The Mayor recommended that we bring BF Technical Code which is a professional firm that does inspections in to do the inspection. The Village has utilized this firm in the past. Mr. Vole stated he is not familiar with the firm. The Mayor gave him a printout and asked him to research the firm. When Mr. Vole is ready, he is to contact the Mayor so that an inspection can be set up. Peter Vole asked if Hainesville would be willing to let Round Lake Park's Building inspector do the inspection. The Mayor told him no there would be no reason to do that since we have our own Building Official. If the Village were to bring in anyone else, it would be BF Technical Code as this would be viewed as an unbiased opinion from all parties including the courts.

Mayor Soto reported that the sink holes at Walgreens are being repaired. It took a while to confirm who was responsible but now it is well underway.

Trustee Walkington asked that if the Village goes to an outside source for the inspection will Peter Vole pay for it. The Mayor stated yes, Peter Vole would be paying the fees.

Trustee Duberstein asked if there was any progress regarding the annexation of the airport. Mayor Soto stated that our second meeting in August will be another workshop meeting with Al Maiden. She would

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like the second meetings of the month to be Committee of the Whole meetings or workshop meetings. This meeting stayed as a regular board meeting because of the budget.

Mayor Soto added that she did meet with Lake County DOT regarding development on the Goumas and Hines Lumber property. There is a need for securing the proper right-of-ways. Any development that would take place and if Hainesville Road is extended to service the two properties, that would be considered a municipal extension. The Village would be responsible for that small part of the roadway until LCDOT brings in the Route 120 Bypass and/or any other development in that area that pertains to roads. Then it would become an extension of the county highway. It is to the advantage of Hines Lumber if the right-of-way is there.

### **Clerks Report**

Clerk Kathy Metzler stated that the next newsletter will be mailed out tomorrow morning.

National Night Out is this Tuesday, August 4th at 7:00 p.m. at Union Square Park. At 7:00 p.m. there will be free giveaways and child identification program with fingerprinting. We ask that you bring a flashlight since there will be a walk at 7:30 p.m.

### **Treasurer Report**

Treasurer Kelly Hensley stated that her items for discussion are under Business.

### **Police**

Police Chief Roy McCommons was not present.

### **Building Official**

Building Official Russ Kraly was not present.

### **Public Works Supervisor**

Public Works Supervisor Jeff Gately is on vacation.

### **Attorney**

Attorney Jim Rock reported that they have been working on completing the agreement with Manhard for engineering services and some personnel issues.

### **Village Engineer**

Village Engineer Greg Gruen updated the Board on projects in the Village. Three proposals have been submitted for the sewer inlet repair program. Diemer Plumbing was the low bid at just over \$39,000. They have been given direction to proceed. They have 30 days to complete the work.

Greg Gruen reported that the Walgreen's parking lot issue has also been taken care of. He also stated that regarding the IEPA stimulus projects, the IEPA should be issuing letters to the affected communities concerning whether or not they will be in line for stimulus funds.

### **Reports of Standing Committees:**

**Finance** – Trustee Daley was on vacation.

**Public Works** – Trustee Walkington reported that Jeff Gately did pick up and used the jetter. They corrected a serious problem behind Katherine Court.

Mayor Soto stated that Manhard as well as herself were there when the jetter was tested. It was discovered that a willow tree was causing problems and it will need to come out. Also, Greg Gruen found a manhole cover which had been covered with dirt and grass on a resident's front yard which no one was aware of.

**Public Safety** – Trustee Barrett reported that EMA and the Hainesville Police Department participated in the 26th Pediatric Brain Tumor Foundation Ride for Kids in Elgin. The ride raised \$309,000.

**Wetlands and Open Spaces** – Trustee Duberstein stated that her report will be under business. She did want to report that a record number of people will be participating in the Village Garage Sale this Saturday. There are over 70 homes.

**Community Events** – Trustee Tiffany reported that everything is on track for Hainesville Fest. They received more donations and calls from people wanting to be vendors. There will be a vendor fee this year in the amount of \$50. The vendor's already committed to being at the fest do not have an issue with the fee.

**Community Relations** – Trustee Derenoski stated that the committee had their first meeting today. Many ideas were discussed and he will share those with the Board when he has more answers.

### **Business**

#### **Proposal from Native Restoration Services for \$14,950 for maintenance of pond/open areas**

Trustee Duberstein explained the proposal. There are five different sections of the Village that this involves. First is the Hainesville meadow, from Tall Oak to the pond. This area will be mowed and remove cattails, a fall burn and seeded. Second is the Village pond. They will be taking care of the cattails and a fountain will be put in to eliminate the algae. Third is the west side of the Misty Hill entrance. They will get

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rid of the dead trees and cattails and mowing that strip. Fourth is the detention pond on the east side that will be mowed. Native Restoration has a low compaction mower that will not affect the ground. Fifth is the entrance pond on the right hand side of the Deerpoint entrance. They will work on controlling cattails as well as other vegetation that will be removed.

Trustee Derenoski motioned to approve the proposal from Native Restoration for \$14,950; seconded by Trustee Barrett.

Trustee Walkington asked if the Misty Hill detention pond is the same as the one on the south side of Union Square. If Native Restoration cleans it up, does it become Public Works responsibility to keep it maintained. Trustee Duberstein stated that Native Restoration would continue to maintain it. Mayor Soto stated that this is not as frequent as mowing a lawn. Trustee Walkington stated that if it's a detention pond like Union Square it is mowed with a lawn mower, so couldn't Jeff Gately mow the Misty Hill detention pond also. Village Engineer Greg Gruen stated that yes Jeff could maintain it. Mayor Soto added that we wouldn't know until it is mowed and we can see what is in the pond. This pond is more of a true wetland. The two ponds are not constructed in the same way.

Trustee Tiffany asked when the other wetland areas in the Village will be taken care. Trustee Duberstein stated that they will all eventually be taken care of but these are the ones prominently viewed from the streets.

Bob Ray, 166 N. Stillwater, Hainesville, IL 60030 – He stated that his house backs up to Hainesville Road. He mows behind his fence and cleans the trash. He asked if Jeff could mow this area so the Village looks nice. Trustee Walkington stated that is the County's right-of-way. Mr. Ray asked if there could be a compromise or he will continue to do it himself. Mayor Soto will contact Lake County to meet with our Public Works Supervisor and Trustee Walkington. Trustee Tiffany added that Lake County mowed three to four times a season. However, they have not been doing this. Mayor Soto stated that the right of way is the property of Lake County so before we start doing things excessively on their property we need to have it on the record that we have an agreement with them of what they will do and what they will allow us to do. Trustee Tiffany asked that when a meeting takes place he would like to be included.

Further discussion was held on the time line for this project and the various wetland/ponds clean up as well as the pond fountain.

Mayor Soto asked Attorney Jim Rock about fountains in the ponds, since he use to work for Round Lake Park District. He stated that the fountains in the ponds last several years and are not high maintenance. They do a good job of keeping the water quality better and algae and mosquito larvae down.

Roll Call:

Ayes: Trustees Walkington, Barrett, Duberstein, Tiffany and Derenoski

Absent: Trustee Daley

Motion carried.

### **Resolution Establishing the Great Age Club**

The Mayor passed out a Great Age Club Budget formula worksheet. The Village has in the past given nominal funds and postage for the club. In the past, Trustees wanted line items in the budget for the Great Age Club and in past finance committee meetings it was stated that no line item could exist because they are not part of the Village. That is true if they are not acknowledged as part of the Village. In speaking with attorney Scott Puma it was decided to acknowledge them by resolution since there is not a large budget involved. Mayor Soto read the Resolution aloud. By acknowledging them they are able to have a line item on the budget of \$500. Mayor Soto explained the worksheet and stated that the Seniors pay taxes to the school and volunteer in the Village.

Trustee Tiffany had numerous questions regarding the providing of funds for the Great Age Club.

Discussion took place.

Trustee Duberstein motioned to approve the Resolution Establishing the Great Age Club; seconded by Trustee Walkington.

Roll Call:

Ayes: Trustees Walkington, Barrett, Tiffany and Derenoski

Abstain: Trustee Duberstein

Absent: Trustee Daley

Motion carried.

Resolution #R09-07-48

### **Cranberry Lake Conservation Area Encroachment**

Mayor Soto explained that in the Cranberry Lake Conservation area they back up to a conservation area,

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however, some homeowners have extended their yards into the conservation area. The Hainesville residents are easier to contact and enforce our own ordinance. The Round Lake Park residents that back up to this area is a little more involved. Initially, the Mayor was going to have Russ Kraly post a No Trespassing sign and rope off the area as well as a letter that this will be enforced. The property line has been found, therefore, Mayor Soto asked the Board how the Village should mark that line without putting up a fence. Mayor Soto recommended large boulders to be placed every few feet or small concrete pillars. Trustee Walkington suggested a 2 rail split fence which would still give the residents access to the area. Attorney Jim Rock suggested that the Village have a survey done so that we are not encroaching on private property.

Discussion was held regarding residents encroaching this area. Mayor Soto stated that for the next Board meeting we will have prices for split rail fences, boulders and concrete pillars. She wants to send a message that this will be enforced and have the line marked so residents know where it is.

### **August and September Committee of the Whole Workshops**

Mayor Soto stated that in August the Board will continue talking about pros and cons of annexing the airport property, coming up with a character look for architecture and development in the Village. September will be for any ideas or concerns that the Board may have and forecasting a short and long term plan. Mayor Soto asked for input for the September workshop. Trustee Duberstein asked if they would be targeting certain areas such as Public Works or Beautification or leave it open. Mayor Soto stated that it will be broken down into chunks and Al Maiden will have a format to divide it up. She might give each committee some responsibility ahead of time to bring to the workshop in September.

### **Estimate of Revenue 2009 - 2010**

Treasurer Kelly Hensley reported that the Estimate of Revenue had no changes from the last time it was presented. It will be submitted, along with the Appropriation Ordinance, to Lake County.

Trustee Walkington motioned to approve the Estimate of Revenue; seconded by Trustee Barrett.

Roll Call:

Ayes: Trustees Walkington, Barrett, Duberstein, Tiffany and Derenoski

Absent: Trustee Daley

Motion Carried

### **Appropriation Ordinance 2009 – 2010**

Corrected pages were distributed.

Trustee Barrett motioned to approve the Appropriation Ordinance; seconded by Trustee Walkington.

Roll Call:

Ayes: Trustees Walkington, Barrett, Duberstein, Tiffany and Derenoski

Absent: Trustee Daley

Motion Carried

Ordinance # 09-07-115

### **Budget 2009 – 2010**

Mayor Soto asked if there was an agreement to leave the line item for the Great Age Club at \$500. Trustee Duberstein stated that she did not have a budget for the Great Age Club; however, from time to time they do have speakers who ask for a donation or a fee. Also, the club has considered going places and renting a van instead of everyone driving on their own. Currently, someone brings refreshments and that would continue. The budgeted money would be for special items as mentioned not for use on a regular basis. Mayor Soto asked if a budget could be done which would add in mailings. Trustee Duberstein stated that only two mailings have been done in the five years the Club has been in existence.

Trustee Hensley stated that there is not a separate line item for the Great Age Club it is under Community Relations. There are other items included such as parade and garage sale. Great Age makes up part of Community Relations.

Trustee Duberstein stated that the reason for this is that the State of Illinois has put in effect a license requirement for Bingo. It is a \$50 license, then 15% of what you collect plus 15% of the value of all the prizes you give. She would rather have the residents play Bingo free and still be eligible for prizes which would be donated. In the past, the money collected from Bingo was used to fund the various Great Age Club activities. This is another way for the State to get money.

Trustee Tiffany asked if the Great Age Club can be filed under a not for profit organization. Trustee Duberstein stated that it wouldn't matter. Mayor Soto also stated that it costs money to file as a nonprofit. The club would be hard pressed to spend \$500 a year.

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Lynn Tiffany asked if the club members pay dues and they don't. Trustee Duberstein stated that they will not be doing Bingo for money if that means that Bingo is not played at Hainesville Fest that is fine. She will not put this small organization through filing with the State of Illinois. Every year the Village generously gives donations to Relay for Life, Brain Tumor Foundation and other organizations that have a few residents and most of the people benefiting from the charities don't live in the Village. All of the people in the Great Age Club live in the Village, work for the Village, have done more volunteer work for the Village than any other group of residents and it's embarrassing that the Village is finagling whether to put \$500 out of a 3 million dollar budget into the fund for the Seniors.

Trustee Walkington asked that if there is not a single line item in the budget for the Great Age Club couldn't they be entitled to any of the money that is in Community Relations. Mayor Soto stated that it would need Board approval. Trustee Walkington had no problem with the way it was written. Mayor Soto stated that the question was whether \$500 would be enough and Georgeann felt she would be hard pressed to spend \$500. For everything the Seniors do for the Village \$500 is not unreasonable.

Trustee Barrett asked if we could bring the amount to \$1000. They wouldn't have to use it but it would be there if they needed it. Trustee Derenoski agreed. Treasurer Hensley stated that we shouldn't go over too much because it is not appropriated. Trustee Duberstein stated that the club still has money left over from previous Bingos and they would be fine with \$500. Treasurer Hensley stated that the Great Age Club has been established by Resolution, it has been given \$500 and soon we will be back at this process doing the appropriation and budget and that's when we can get more feedback.

Trustee Tiffany asked that if the reason is because the State of Illinois is requiring a gaming license will the Great Age still do Bingo for Hainesville Fest. Trustee Duberstein stated that they will do Bingo and it will be free and prizes will be donations from the merchants willing to support the Great Age Club.

Mayor Soto asked Attorney Jim Rock if prizes can be given with free Bingo and he will look into that.

Mayor Soto asked Trustee Tiffany if he has a concern about Bingo being free because it might conflict with anything that is being charged for at Hainesville Fest. Trustee Tiffany stated that he just wanted to know if the Great Age Club was going to do Bingo next year also. Trustee Duberstein stated that yes the club had planned to continue Bingo.

Treasurer Hensley stated that she was not able to make the changes from the Hearing onto this budget so the budget will be passed with the changes from the Hearing which were the gas for the Public Works truck and the police cars. She will make the changes and put a copy in everyone's mailbox.

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

Roll Call:

Ayes: Trustees Walkington, Barrett, Duberstein, Tiffany and Derenoski

Absent: Trustee Daley

Motion carried.

### **Wolf & Company LLP Audit Proposal for fiscal years ending April 30th, 2009 through April 30th, 2010 for \$17,075**

Treasurer Hensley reported that she spoke with other Village's Treasurers regarding who they utilize for audits. The Village received three proposals. She and Trustee Daley narrowed it down to two. They called on references for both firms. They sat and did comparisons of the two and based on this they are recommending to accept Wolf & Company's proposal. The proposal shows it is for three years; however, we don't have to go three years. Every year we can sign on to do the year. For the fiscal year ending April 30, 2009, we are looking for an expense cost of \$17,075.

Mayor Soto reported that she forwarded the letter agreement which Wolf submitted to us to Scott Puma.

There may be some language changes so if this is approved it would be subject to the attorney's approval of the letter of agreement.

Trustee Duberstein asked if we wanted their advice regarding investment, financial planning or whether we do the appropriation system or budget system is there an additional fee. Kelly stated that there would be an additional fee; however, quick calls to them would be at no charge.

Trustee Duberstein motioned to approve Wolf & Company's Audit Proposal for fiscal year ending April 30, 2009 through April 30, 2010 for \$17,075 subject to the attorney's approval of the letter of agreement; seconded by Trustee Tiffany.

Roll Call:

Ayes: Trustees Walkington, Barrett, Duberstein, Tiffany and Derenoski

Absent: Trustee Daley

Motion carried.

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Trustee Walkington motioned to go into executive session for the purpose of discussing personnel; Trustee Tiffany seconded the motion.

Roll Call:

Ayes: Trustees Walkington, Barrett, Duberstein, Tiffany and Derenoski

Absent: Trustee Daley

Motion carried.

The Regular Board Meeting recessed at 8:32 p.m. to enter into Executive Session.

Trustee Derenoski motioned to enter back into the Regular Board Meeting at 9:39 p.m.; seconded by Trustee Tiffany.

All in favor say aye, motion carried

**To Vote on once out from Executive Session:**

Trustee Derenoski motioned to authorize Mayor Soto to sign the employment contract for interim police chief; seconded by Trustee Barrett.

Roll Call:

Ayes: Trustees Walkington, Barrett, Duberstein, Tiffany and Derenoski

Absent: Trustee Daley

Motion carried.

Trustee Walkington motioned to adjourn the July 28th, 2009 Regular Board Meeting; seconded by Trustee Barrett.

All in favor say aye, motion carried.

**The July 28th, 2009 Regular Board Meeting adjourned at 9:41 p.m.**

Respectfully submitted,

Kathy Metzler, RMC, CMC  
Village Clerk