

## August 11th, 2009 Regular Board Meeting Minutes

### **August 11th, 2009 Regular Board Meeting Minutes**

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Linda Soto at 7:01 p.m. Mayor Linda 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, Daley, Barrett, Duberstein, Tiffany and Derenoski

Also present were: Police Chief Fred Heidecke, Village Clerk Kathy Metzler, Deputy Clerk Roseann Stark, Treasurer Kelly Hensley, Building Official Russ Kraly, Public Works Supervisor Jeff Gately and Village Attorney Scott Puma

### **Establishment of quorum**

#### **Agenda Approval**

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

Roll Call:

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

Motion carried.

#### **Public comments:**

**Doug Raul Williams, Hainesville, IL 60073** – He updated the Board on the Round Lake School Board. Mayor Soto introduced Doug as the Village's representative on the Round Lake School Board. Doug reported that the School district is running a surplus of \$1.4 million. The challenge is the expansion of Round Lake High School. The referendum was voted on in 2004 or 2005, it was to be for the expansion of McGee, which was done, and the expansion of the High School. They ran into cost overrun with McGee so they are still left with Round Lake High School that needs to be expanded. Another challenge is personnel costs and keeping control of health care costs. He reported on happenings at the school district, such as all day kindergarten, which is bringing in more revenue. They received a \$750,000 tutoring grant for 5 years at the elementary level which could service 1,000 students for either early morning or after school tutoring and also provide food. Math intervention for 8th graders will start this year. This will make sure that students are not dropping out because they are frustrated due to math grades. There will be two more college advisors to make sure that the district is gearing students toward college. There will also be a literacy program and a truancy reduction program as well as more AP classes such as English, Spanish and Art. Mayor Soto thanked Mr. Williams for the update.

#### **Omnibus Vote Agenda**

1. A Motion to Approve the July 28th, 2009 Public Haring for Proposed Appropriation Ordinance Minutes
2. A Motion to Approve the July 28th, 2009 Regular Board Meeting Minutes
3. A Motion to Approve the August 2009 Bills Payable

Trustee Duberstein had additions to the Regular Board Meeting Minutes.

Trustee Walkington motioned to approve items 1 and 3 under the Omnibus as presented; seconded by Trustee Duberstein.

Roll Call:

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

Abstain: Trustee Daley

Motion carried.

#### **Items removed from the Omnibus Agenda if any:**

Trustee Duberstein asked that on page 4 of the July 28th, 2009 Regular Board Meeting under Proposal from Native Restoration Services. On line 3 she asked that "and seeded" be added. Also, on page 10, under "To Vote on Once out from Executive Session", add Fred Heidecke's name as interim police chief. Village Clerk Metzler asked if his name was in the motion. Mayor Soto stated that Fred's name was mentioned in the motion.

Trustee Duberstein approved the minutes as amended; seconded by Trustee Barrett.

Roll Call:

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

Abstain: Trustee Daley

Motion carried

#### **Mayors Report**

Mayor Linda Soto stated that she met with Lisa Berger, Executive Director at CenCom, to introduce her to our new interim Chief of Police Fred Heidecke. The Mayor welcomed Chief Heidecke and stated that he will be providing the village with a short and long term plan for the future of our police department.

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Mayor Soto met with Matt Berry, who is an Outreach representative, from Senator Burris's office. They reviewed needs for our area. She focused on 3 main issues; first was foreclosure prevention and the need for more mortgage assistance. Second is police funding at the federal level, called Cops Grant. This is a good grant but it's a scary grant for upstart police departments because of the five year commitment. If you can't accommodate that commitment, you are to pay everything back. Matt agreed that it doesn't serve a new department so he will be looking into what can be offered in other ways from the federal level. Third topic discussed is bike path grants. He was very encouraging that there are many federal bike grants. His office has a grant researcher and they have researched grants for other municipalities. He will get back to the Mayor regarding funding for the extension of the Village's bike path. The Mayor noted that a sketch was on the board which is the engineering for the extension from where the bike path ends at Route 120. They are proposing an embankment to handle the wetlands issue. We would mitigate wetlands over in the mitigation bank at the Sports Club property. Trustee Duberstein asked what the cost will be to do this. Mayor Soto stated that it will be about \$140,000, however if we had gone the route of doing the bridge or boardwalk it would be about \$250,000.

Mayor Soto reported on National Night Out. She thanked Chief Fred Heidecke and the entire force. Starbuck's provided excellent refreshments. The community walk was a success.

Mayor Soto met with Mike Swierenga, the developer of the Deer Point Professional Building as well as with Engineer Greg Gruen and Jeff Gately. They walked the property and reviewed the punch list. A timeline was provided to Greg and the Mayor earlier tonight and we will be addressing how the back lot looks.

Mayor Soto met with Jim Tahaney, operator of Cardinal Aircraft Service at Campbell Airport. He and his partner lease that land from Peter Kane. They discussed whether the Village wants to annex that property. This was an exploratory discussion only and they will be meeting again.

Mayor Soto noted that on Thursday she would be meeting with Jim Schutter, realtor for Hines Lumber, Hines Lumber CFO, Village Planner Al Maiden and Village Engineer Greg Gruen. The purpose of the meeting is to secure the right-of-way and easements for the Village for the purpose of extending Hainesville Road. This is important to the Village. The commercial realtor and Hines Lumber recognize this would be to their benefit and would increase the commercial value of their property. Trustee Barrett gave the Mayor suggestions which she will be exploring with Al Maiden and Hines Lumber as far as an additional easement to see if we can accommodate the school buses coming out of Prairieview and exiting at the light.

Mayor Soto also reviewed certain issues with regards to Hainesville Fest, Bingo, community picnic and Shop with a Cop. She stated that with the growth of the Village there is a need for a policy regarding the solicitation of donations for any Village function, cause or event. The Mayor would like all requests to go out on Village letterhead and they need to be signed by the Mayor, Clerk and the individual in charge of the project. Copies of the letters and the donations received will be kept on record with the Clerk. This will prevent duplicate efforts and maintain an accounting of efforts. The person heading the project will still be responsible for follow up of letters, going door to door or making phone calls but the Village will then have a record of who has been approached. If there are two projects that are close together, we will know if we want to approach a business or individual about two different projects. The Mayor will put a copy of this policy in their mailbox.

The Mayor was made aware by residents Gregg and Lisa Tonkery that there is a business in Vernon Hills having a huge sale on school supplies, teacher resources and equipment. A flyer was made available to everyone.

The Mayor also reported that the Village did not receive the IEPA stimulus grant because of the overwhelming number of requests they received. There will be a second round coming and Hainesville will be included in that group.

The Mayor has also spoke with Engineer Greg Gruen about meeting with Lake County Public Works regarding some of the maintenance they need to do. Greg did speak with someone about mowing along Hainesville Road.

### **Clerks Report**

Clerk Kathy Metzler reported that she sent flowers to Sandy the previous owner of Haines Cleaners. Kathy read a thank you note received from Sandy.

Mayor Soto and Kathy met with Kerry Dean from the Census Bureau. We will be receiving census items for Hainesville Fest by Thursday, August 27. Clerk Metzler will be meeting with Wendell Davis and he

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will be signing a few footballs and or jersey whatever we provide to raffle off. We are hoping that Wendell Davis will be able to attend our fest, but do not have confirmation.

Kathy also reported that whoever signed up for the IML conference has been registered. Information will be given out when the time gets closer.

Mayor Soto added that if anyone is interested in being in the Grayslake Days Parade on August 23, 2009 please let them know. A Hainesville Police squad will be in the parade as well.

### **Treasurer Report**

Treasurer Kelly Hensley updated the Board on IMRF. She received some feedback regarding our percentage rates. The impact of the 2008 investment returns for IMRF is estimated to be a negative 24.8% or approximately 6.1 billion investment loss. The IMRF Board took action to lessen this impact. The Village of Hainesville's 2008 and 2009 rates were 9.60%. The 2010 employer rates will be 9.23%. The rate is lower due to the IMRF Board changes to the actuarial technique for the rate calculations. It is probable that future employer rates will increase. The IMRF chose to change the amortization method from closed to a rolling amortization period and changed the amortization period to 30 years for taxing bodies.

Treasurer Hensley also stated that Wolf and Company, the new auditor, sent her a package to work on. Trustee Daley stated that this is a pre-audit preparation package consisting of 48 questions that Kelly will need to prepare something for on each question. He also stated that since Kelly and Debbie will carry the load on this audit they may need assistance, if not from within the office, someone who might be able to handle the phones for a little bit so they can go behind closed doors and spend time on this.

### **Police**

Police Chief Fred Heidecke stated that he is pleased to be here. He started on Wednesday July 29th. He has made some interesting observations, most of them positive and is looking at making some positive changes. He wants to set a positive tone of mutual cooperation and communication. He will keep the Mayor and other Village officials as well as the employees of the Police Department and the public informed as to what is or is not happening. His initial observations seem to bear out that people are cautiously optimistic as to the future of the police department within the Village of Hainesville. That was one of the main items discussed with him before he came in as interim chief, to see and assist in determining whether this venture will fly. Chief will be setting expectations and goals for the people that he has direct accountability for. He has re-empowered the police officer's to use their discretion and make wise judgment calls but also to enforce the statutes and village ordinances. He has given them the authority and accountability to take their actions as long as they are based on probable cause and the law. He is providing consistency and putting people at ease. He stresses and encourages strong verbal and written communication. He is going to re-evaluate the past spending practices and is requiring that any spending requests within the Police Department to go directly through the Chief prior to approval or disapproval. After talking to Mayor Soto and Treasurer Hensley it was decided to provide cross support so there is more input in making these decisions.

National Night Out was a successful evening. There were 75 to 100 residents who started the route from the park. During the walk some residents who didn't participate were surprised that it was occurring but were positive about the walk. The walking format was well received by the public. The Police Department and EMA were well represented and helpful.

The Chief offered to supply statistics if anyone is interested.

Mayor Soto added that she received many phone calls and comments that residents are pleased that Fred Heidecke is Chief because he himself is a resident and has the Village's best interest at heart.

### **Building Official**

Building Official Russ Kraly reported that he distributed his monthly report. This month was a little higher than usual but there was one commercial project which accounted for the majority of it.

Russ also stated that Mr. Vole had six months from the time he picked up his permit to fix up his property. His permit was picked up on March 23, 2009 so he has until September 23, 2009 to put his property in order. Russ hasn't seen much going on in the property. Mayor Soto stated that Vole knows that BF Technical Code is available to do the inspections.

Russ also distributed an update on the fee ordinance. The last time it was done was in 2004. He did not change anything as far as the basic fences, patios and decks. The biggest item is on page 6 where he added the cell towers. Also on page 7 he added one comment to section B that construction sites should be clean of all garbage and debris at the end of each day. The Mayor stated that this is being passed out for everyone to review it. Any questions or concern should be addressed to the Mayor or Russ Kraly. At the next Board meeting, this ordinance will be updated.

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### **Public Works Supervisor**

Public Works Supervisor Jeff Gately reported that the ongoing sink hole project should be wrapped up by the end of this week or next week. Hydrants have been painted and then they'll finish the island entrances. He has started to work in Old Hainesville getting the meters updated.

Trustee Daley asked why the snow flags were taken off rather than left on. Jeff stated that in the summer there are more children around who like to take the flags and bend them. Next year they will see if all the flags need to be put up or just certain spots that need to be identified as their plowing.

Mayor Soto acknowledged Jeff and his team for their work on maintenance in the sewer drains and sewer inlets. If they are not maintained or cleaned this causes problems in the long run. We are mapping and making a maintenance schedule to see what was cleaned and when. Jeff stated that tomorrow night at the Committee meeting this will be addressed. They would like to start this in October.

Jeff stated that Dave Olsen started trimming parkway trees in the Village.

Mayor Soto stated that Dave is a village resident and is not charging us the normal fee, he has given us a lower fee.

### **Attorney**

Attorney Scott Puma stated that he has been working on the municipal utility easements relative to the stimulus package. He has also been working on the raffle issues.

### **Village Engineer**

Village Engineer Greg Gruen reported that the sewer inlet project is going very well and should be done soon. Walgreen's parking lot has been repaired.

The IEPA stimulus package offered this year are 25% loan forgiveness and 0% interest loan. If there is a second stimulus package that passes, it won't be as good as this year's but it might be better than the 2 ½% interest loan. The ones getting the stimulus money this year are the ones who put in their applications the previous year. He encourages the Village to follow thru with getting the appropriate permits, easements and the application to Springfield so it puts the Village in a position that if there is a second round of stimulus money we would be in a better position.

Greg Gruen also stated that there has been questions regarding subdivision plats. They ordered all the plats for the Village at a cost of \$300. They were given to Jeff on PDF formats.

Greg Gruen reported that regarding Cranberry Lake he will be putting together a proposal to stake that West property line and do a boundary survey.

Greg stated that he spoke with Jeff Brell with Lake County DOT, who is in charge of maintenance for the west half of the county. He told Greg that they have four mowers countywide and that they mow the right-of-way three times a year; spring, summer and fall. Any additional mowing is the municipality's responsibility. The Mayor asked if we could then remove anything we feel should be removed without any repercussions from Lake County Public Works. Greg stated that yes we would be able to. Mayor Soto would like to clarify this because in the past they were sensitive if we didn't ask for permission. Greg asked Jeff if there was any special agreement that has to be executed; he didn't think there was. Trustee Walkington stated that if the Village does mow then the County doesn't have to and if we do mow then when the Village has a request from the Lake County DOT they should seriously consider what we are asking. The Mayor agreed that the County shouldn't be excused from doing the three mowings. She stated that perhaps the Village should write a letter to the Lake County Board stating that the County should have more than four mowers. Treasurer Hensley asked the attorney that if the Village does chose to mow on Lake County's right-of-way is there an agreement we should get in writing for insurance for liability issues. Attorney Scott Puma stated that he would have some concern that the County would say the Village did something improper or if someone was injured they would blame the Village and that there was some voluntary undertaking. He wants to pursue further whether there needs to be some type of intergovernmental agreement to go forward with this idea. He added that the Mayor should contact Lake County and then go to the County Board reps. The Mayor stated she could also contact Grayslake, who now does the mowing, to see if they have an agreement. A discussion followed regarding the snow plowing of State and County roads. Trustee Duberstein stated that the resident's bushes are coming through the fence. Would we need to deal with them individually to prune their shrubs? The Mayor would need to have a meeting with Jeff Brell and Jeff Gately and also call Grayslake to see if they did an intergovernmental agreement. Trustee Tiffany asked Russ if something grows into your property from another property are you able to take care of it. Russ stated that if you asked the other resident and they don't want to trim it then you can trim it which would apply the same to the easement.

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Greg also reported that he met with Mark Swierenga at the Deer Point Professional Building and told him that the Village wants the property cleaned up but as of 5:15 p.m. today Greg did not receive a schedule. The Mayor did receive an email but it is very limited. Greg stated that something will be done there definitely before the next Board meeting. The Mayor stated that Mark's contractor will do the grading by the end of next week and then the following week the landscaper would come in and plant the rye grass. Additionally, ripwrap will be put around one of the inlet collars. Further discussion took place regarding the grading at the site.

Greg Gruen stated that Hainesville Road south of Route 120 is the Village's right-of-way. He found an 1846 plat that platted out the right-of-way. They pieced it together and can now present it to Hines Lumber clearly showing what the Village will need from them.

Trustee Daley added that he receives the monthly water report and in speaking with other Trustees, no one truly understands it. He asked if there could be a brief workshop on what it means or can they just get an executive summary. Greg will speak with Terry Grom and incorporate an executive summary in his report. The Mayor stated that she likes to get a detailed report and that Jeff should continue to get one. She would like to have Terry do a presentation at the next regular Board meeting.

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

**Finance** – Trustee Daley stated that the audit is underway. He and Kelly will contact the Village's representative from First Midwest Bank. We have a positive bank balance and would like to get some early education on how to invest municipal funds. Once the information is received he will present it to the Finance Committee. Any decisions to be made will come before the full board. Trustee Daley also reported that he will be working on an employee evaluation format. Evaluations will be performed on each employee in the Fall.

**Public Works** – Trustee Walkington reported that he and Jeff put together a plan on what needs to be done for Stormwater north of Route 120 and talked about doing more work at the Deer Point entrance pond. We need to meet with Manhard and Diemer to lessen the impact on the south side. Jeff stated that work has been done on the south side where there was a blockage behind Hines Lumber. Diemer did go into the south side of Route 120 where all of that water drains into. There is an area that needs equipment to go back there and re-swale it; winter will be the best time to do this.

**Public Safety** – Trustee Barrett stated that in the past there has been many school bus stop arm violations and would like to meet with the Mayor and Chief and do an active back to school campaign. The Mayor asked if signs could be put up under the stop signs stating that school is starting. Discussion took place regarding who supplies these signs.

**Wetlands and Open Spaces** – Trustee Duberstein gave a progress report from Dave Coulter, Native Restoration Service on what he has been doing and the areas that he will be working on such as the Hainesville Meadow, pond next to the Village Hall, Misty Hill entrance and Deer Point entrance. Herbicide was done of the cattails and the annuals at the Meadow and then it was mowed. They walked the property first and noticed there were a lot of good plants so they did a spot herbicide so as to not damage the goodies that are there. They only mowed 95% of the meadow because they have baby oak trees on the north end. All of the cattails and the Phragmites in the various ponds and entrances that have been working on have been herbicided and will wait a month and then cut them. They also have been mowing over at Deer Point. Trustee Duberstein added that things are progressing. She spent time today with one of the employees of Native Restoration who is a native flower expert and they went to all the entrances to look at what we can put where that will be perennials but they will be native flowers. Trustee Duberstein would like this to look more like a formal garden even though they are native flowers. It will be better drought resistance and it will be more in keeping with the seeding that we've done in Cranberry Lake and the seeding that will be done in the Meadow late this fall. Things are progressing along there and as Jeff mentioned the pruning is going along on the parkway trees.

Trustee Tiffany asked if anyone knows if a person was doing herbiciding, weeding or spraying on Big Horn by the bike path because there was remnants on the pavement and had a strong bug spray/herbicide smell. Jeff stated that it might have been Clarke Mosquito. The Mayor stated that it could also have been the County since that is County property. Trustee Duberstein added that since Clarke has been spraying around Cranberry Lake and she can feel a big difference.

Jeff Gately added that in talking to Dave regarding cutting down the cattails on the west side of the pond, he spoke with Dave about the Phragmites that are along Route 120. Jeff pushed them back with his mower because you couldn't see the Hainesville sign. Dave went over to measure and he will put a figure together

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to get those out of there. That is the first thing you see when you are coming into town. The Mayor agreed that the Phragmites have really gotten bad. Trustee Duberstein stated that Dave will do that; he did a great job on the Phragmites on the southeast corner by Hainesville Road.

**Community Events** – Trustee Tiffany reported that Hainesville Fest donations have trickled down. He thanked Manhard for their substantial donation. He received a call from a vendor that they will be in this week to bring in their insurance form and proper paperwork and he expects everyone else to come in soon. He will follow up with phone calls. Village Clerk Metzler stated that the dram shop insurance was received and has been Fed Exed, however next year it should be handled earlier.

Trustee Daley left the council chambers at 8:29 p.m. and returned at 8:31 p.m.

The Mayor asked if Jim could give some highlights of the overall fees and what the residents will be charged. Trustee Tiffany stated that the fees will probably remain the same as last year; .50 a game, pony rides were \$1, raffles will be \$1 for one 6 for \$5. This year there will be a climbing wall but he hasn't decided if it will be \$2 or \$3. The beer is set by the American Legion; food is priced by the food vendor. The moon walk has been replaced by a giant inflatable slide this year. Bubba the Art Bus and Busy Brains are coming back this year. There will be a DJ from 1:00 to 5:00. A band will play from 6:00 to 9:00. as well as Bingo from noon to 6:00. The census will have a tent. Paul Mitchell called, he is a resident running for State Representative, who asked if he could have a booth. Jim called and left messages for other individuals such as Sandy Cole and Michael Bonds to participate but hasn't heard back from them. Michael Bonds did participate last year. He allowed Paul to participate since he was contacted in anticipation of Michael Bonds or Sandy Cole to show up but we may only have one interested party. Trustee Duberstein asked if they get charged like the food vendors. Jim stated that he is up in the air because Paul is giving out information not selling anything. The Mayor stated that there is a difference between having current officials and a candidate. Jim stated that as of right now we charge a \$50 fee for vendors. The Mayor had been talking to the attorney regarding this issue and he feels that if we do have current officials we have to allow potential candidates. Everyone should be charged for a booth. Jim stated that he will let Paul Mitchell know about the fee. The Mayor stated that she will call Sandy Cole and Michael Bonds.

**Community Relations** – Trustee Derenoski reported that he met with the Mayor regarding posting the meetings on line and looking to get equipment to do that. We have the server space to do it. He is looking into pricing with CDW, which is offering a good price, about 1% above cost. We can get that equipment and it has been budgeted.

He is also looking into getting some AV equipment for the Village Hall for when people come in to do presentations or the Village has movie nights of things that have been going on throughout the year. We can show little snippets of video such as the National Night Out walk or Hainesville Fest. It would be a nice little get together.

Trustee Derenoski also reported that he is looking into the software program for the possibility of generating a second page with the water bills for a monthly newsletter. He is also looking into putting a calendar on it so people can see what is going on in the Village.

### **Business**

#### **Ratify Cattail Project Work Agreement**

The Mayor stated that there might have been some confusion regarding this. There has been a lot of beautification and restoration work. There was a recent bid that was approved from Native Restoration Services and then the cattail control was a separate issue. While cattails were somewhat addressed on the other one this was not stated in there and they have gone ahead and started the work. The Mayor spoke with Trustee Duberstein as well as several other trustees to be comfortable that there was enough agreement that we do want to do this work. The Mayor gave everyone a copy of the Cattail Control at Cranberry Lake. This is year one of a five year plan.

Trustee Barrett motioned to approve to ratify the cattail project work agreement; seconded by Trustee Derenoski.

Trustee Duberstein added that it will be done from inside the lake by boat. They will be herbiciding and then a month later there will be a burn. We need to do this soon so that when we want to do the burn there is still cattails that are green to act as a buffer so the whole area is not ablaze. We had a proposal from Integrated Lakes Management for almost three times as much to do the same job. This is the cost for one year and it is up to us to decide whether we want to continue this each year and at what point do we want to say that there is enough removed now it's just a matter of maintaining that particular amount. We are obviously not going to do all of them. If we do a quarter or a half, it would make a huge difference in the size of the lake and how much of the lake you could see.

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Trustee Walkington asked if it is going to cost \$5,900 for the next five years. Trustee Duberstein stated that it is an approximate figure. Native Restoration is not guaranteeing that the price will hold. He is saying that this is the first year and assuming that we would want to continue, it would be approximately. The Mayor stated that we would get a new quote each year. Discussion took place regarding the cost and the five year plan. Trustee Duberstein stated whatever we decide the cattails have been pushed back enough then it is just a maintenance issue. Whether it will be after five years or three years or whenever we say that it is good enough. Georgeann corrected the quote from Integrated Lakes Management as being about \$13,000, twice as much as Native Restoration's. Trustee Derenoski stated that conceivably after two years we could be at the maintenance phase. Trustee Duberstein stated that a lot will have to do with how much we get rid of each year. It is an ongoing process just like the buckthorn; there is still buckthorn that is growing. He is going through and cutting and herbiciding and he will do that as long as we tell him to keep going. Trustee Derenoski asked in Dave's experience it shouldn't take longer than five years. Trustee Duberstein stated that it probably would not because you are not going to take it all the way back. You want some level of cattails to prevent erosion and to help with the habitat for the wildlife. It's not going to be 95% even it might be only 50% of what we have growing.

Treasurer Hensley noted that in the burn procedure it states they will be notifying in writing all residents living in the area of Cranberry Lake about the burn. She asked if we could use our reverse 911 system if we know when the burn will be so that all residents are aware of when the burn will take place. Mayor Soto stated that it is a great idea because even residents that don't live near it, when they see burns they get nervous and call.

Trustee Barrett asked where the \$5,944 is coming from. Treasurer Hensley stated that it is budgeted in the general fund. Mayor Soto added that it is Wetland Restoration.

Trustee Walkington noted that the agreement states there is an attached color coded map which he did not receive. The Mayor stated that it is in her office but it is basically a circle of the lake. Trustee Duberstein stated that each year the circle gets bigger.

Discussion took place regarding the shooting of the herbicide. Trustee Walkington reiterated that this is a one year plan with an option on four more. We are voting on this year and progressing into another year. The Mayor stated that we are not committing ourselves to the next four years. Trustee Walkington added that he has put together a five year plan that he thinks will work. The Village is approving year one and then we'll take another look. Jeff Gately stated that there is 150 feet of cattails on water. The Mayor stated that the only way to get to that inner circle is to be out on the water. Russ added that Dave will work from the center of the lake towards the shore each year and then we decide how far in towards the shore we want him to go.

Trustee Barrett motioned to ratify the first year's expenditures of \$5,944 to Native Restoration to do the first leg of it and then review it next year at this time for additional cost for the bigger periods; seconded by Trustee Tiffany.

Roll Call:

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

Nays: Trustee Daley

Motion carried.

### **Survey Work of Cranberry Lake Conservation Area Western Boundary**

The Mayor stated that Engineer Greg Gruen already addressed this issue in his report. Until we get that information there is nothing more to discuss. The Village received a preliminary quote for handling the split rail fence from Dave Coulter of Native Restoration. That information as well as any other information that is collected at the time we have the survey information will be passed on to the Trustees.

Trustee Tiffany went back to the cattail business and asked if the lake is accessible and fishable by the residents and whoever wants to have access to the Lake. Discussion took place regarding the ownership of the Lake. The Mayor asked if he wants to know the legal status of access to the lake now. Trustee Tiffany thought it was already stated that the Village owns it so we in turn have not stated that no one cannot use it. The attorney stated that the Village does own it. The Mayor asked does anyone have access to the lake or just the residents. Trustee Duberstein understood that it has never been definitive as to what we are going to allow to be done in this protective wetland. She knows that people have been out there ice fishing but there's never been an ordinance because one of the concerns is what the Village's liability. The Mayor stated that this is an agenda item for a future meeting.

### **Illinois Bingo Licensing Act and Illinois State Raffles Act and its Impact on Hainesville Fest**

The Mayor stated that this came up with the bingo question. The Illinois Bingo Licensing Act was

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distributed to the Trustees. There is a \$50 permit fee, and 15% of whatever you charge per bingo card sold and 15% the retail value of all items that have been donated for prizes. There is a senior citizen exemption in the act but they have to meet criteria of which the Great Age Club will meet only one; that the Bingo game needs to be played in a municipal building and/or a publically owned building or site. Another criteria is that any bingo card sold cannot exceed .05 and prizes for any one bingo game cannot exceed the value of \$1. We went from no bingo to free bingo but if you do free bingo what would you give for a prize. Scott Wallach, owner and developer of Cranberry Lake commercial property, donated \$1000 to Hainesville Fest. In the Mayor's discussion with him they were going to earmark \$250 for the bingo tent. The Mayor's original thought was to buy \$250 worth of raffle tickets and donating those for bingo prizes. However, there was a concern that this would disrupt the raffle ticket sales and in reviewing the ordinance and state statute you have to be 18 or older to win a raffle ticket. The Mayor recommended that the prize be a dollar. However, in delving into the raffle ticket issue it brought up other questions. In reading the Village's ordinance that mirror's the state's statute regarding raffles, a municipality cannot legally hold a raffle. We are in violation of our own ordinance. Also a municipality cannot get a permit from the state to hold a raffle. However, there is a way to still have a raffle and that is to approach a non-profit entity that has a federal tax ID and ask them to sponsor the raffle. Attorney Jim Rock gave some good suggestions such as to approach Avon Youth Baseball. Trustee Tiffany had not received a call back from Tom or Clay of Avon Youth Baseball.

Trustee Tiffany noted that our ordinance does state the raffles are subject to the following restrictions: "use of proceeds – the entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game". All of his and John's work that has been devoted to handing out letters and trying to go out and collect raffles, all the prizes received will basically have to be used under their umbrella. So that means anything they receive would be back into their pocket. They have discussed with Jim two things that they would like to do with their ball field. One is improvements in the way of catch netting the Bronco field, the southwestern most field that is closest to Union Square Townhomes, to repeal any foul balls that would be going towards the parking lot. The other improvement is that they were entertaining providing lights for night games. These games would be going on till about 9:00 p.m. Trustee Tiffany stated that the money received would have to be put to those good uses. The Mayor stated that according to Jim Rock the ordinance does read that but we are going to ask them to donate a portion back to the Village because we've done all the legwork. She would like Jim to talk to them and find out what percentage is fair. Trustee Duberstein asked that if the ordinance states that it has to be used by the sponsoring charity can they give some back. The Mayor stated that they can give some back by calling it a donation to the Village. She also suggested that whether it was Avon Baseball or another cause was that we did pick a cause that they earmarked the money for. The Mayor has been trying to call Clay at Avon Township before the raffle issue came up because she was copied on a letter in early July that was written by a resident who lives in Union Square and their garage faces the southwestern field. They were expressing their concern that a lot of balls come over and hit the cars that are parked. They were asking Avon Township Baseball if anything can be done. The Village is willing to work with them to resolve this issue. Also Avon Township received \$225,000, with the help of the Village, to redo all of Avon Baseball Field. Trustee Daley stated that a 50-50 split is too generous and he suggested 90-10. The Mayor noted that if the money we get all came back to the Village, as in the past, it would be to help recoup some of the cost of Hainesville Fest. Trustee Tiffany agreed but also we had donated two years in a row to Avon Township Food Pantry and last year to Kids Hope in Lake Villa. The Mayor asked how much money the raffle took in and Jim stated about \$900. The Mayor stated that this year we are basically doing the same thing with Avon Township Baseball. The Board needs to figure out what is a fair amount. Mayor Soto stated that the main goal is to provide a community event that is fun and maybe in December or January we start looking at alternatives of other things we can do. Trustee Duberstein would like to designate that we should specify that the money is for the fence and not lighting. Trustee Tiffany stated that the lighting would also have to be approved by the Round Lake and Grayslake Park District along with Avon Township. The Mayor stated they would also need a permit. Trustee Tiffany spoke with Clay who wondered how the Board would feel about the lighting. The Mayor stated the fencing is needed and she is not objectionable to lighting if it's handled well. Research will have to be done by Avon Baseball with the approval of the owners which is the Park Districts and Avon Township. They would have to show the Board at a meeting the type of lighting they are considering and then it would have to be reviewed by Russ and then we would decide our opinion on lighting such as how late will it be left on or the height.



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Trustee Tiffany stated that he would like to do a 50/50 split. Discussion took place regarding the amount to donate. The Mayor stated that the Village can't muscle them but we could make a suggestion that the money be used not only to benefit them but also the Village, such as maintenance and restoration of the field. Trustee Walkington added that if we have not heard from Avon Township by Friday we look at another source. The Mayor discussed the alternatives such as school groups however we live in two school districts and we can't slight one school district over another and two sponsors would not work. The other possibility is the townhome association, however, there are three separate townhome associations and it would be difficult to pick one. Trustee Walkington suggested the Northbrook Sports Club. The Mayor stated she doesn't have a problem with that, however, from a resident point there are different views on the Sports Club. It was suggested that the money be donated to the American Legion, who will already have a presence at Hainesville Fest, if Jim Tiffany does not hear from Avon Township Baseball by midday Friday.

Trustee Daley motioned to do a 50/50 split with either Avon Township or another non-profit for this year only; seconded by Trustee Barrett.

Roll Call:

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

Motion carried.

The Mayor added that Bingo will be played for free and a dollar will be the prize. The Great Age Club will be given \$250. If all is used then Bingo is over and if there is any left over it will belong to the Great Age Club. All the Trustees agreed.

Trustee Barrett motioned to go into executive session for the purpose of personnel; Trustee Daley seconded the motion.

Roll Call:

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

**The Regular Board Meeting recessed at 9:30 p.m. to enter into Executive Session.**

Trustee Derenoski motioned to enter back into the Regular Board Meeting at 9:50 p.m.; seconded by Trustee Walkington.

All in favor say aye, motion carried.

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

Trustee Barrett motioned for a pay increase to the office staff and full time public works employee of 1 ½% and an hourly increase to Roseann Stark, office employee, who is also Deputy Clerk of \$1.75 an hour; seconded by Trustee Derenoski.

Roll Call:

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

Motion carried.

**Public Comments**

There were no public comments.

Trustee Barrett motioned to adjourn the August 11, 2009 Regular Board Meeting; seconded by Trustee Daley.

All in favor say aye, motion carried.

**The August 11, 2009 Regular Board Meeting adjourned at 9:51 p.m.**

Respectfully submitted,

Kathy Metzler, RMC, CMC  
Village Clerk