

## **April 26<sup>th</sup>, 2011 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 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 Derenoski, Tiffany, Duberstein, Barrett, Daley and Walkington

Also present were: Village Clerk Kathy Metzler, Deputy Clerk Roseann Stark, Treasurer Kelly Hensley, Public Works Superintendent Jeff Gately, Village Attorney Jim Rock.

Absent EMA Coordinator Mike Benko, Building Official Russ Kraly and Village Engineer Greg Gruen

### **Establishment of quorum**

#### **Agenda Approval:**

Trustee Barrett motioned to approve agenda as presented; seconded by Trustee Walkington.

#### **Roll Call:**

**Ayes:** Trustees Derenoski, Tiffany, Duberstein, Barrett, Daley and Walkington  
Motion carried.

### **Public Hearing on Proposed Appropriation Ordinance for 2011-2012**

There were no comments from the Board of Trustees or the public.

Public Hearing was closed at 7:04 p.m.

Mayor Soto invited everyone to have cake to celebrate the first time in 18 years that the appropriation and budget have been approved on time to start the new budget year.

### **Omnibus Vote Agenda**

1. A Motion to Approve the April 12<sup>th</sup>, 2011 Regular Board Meeting Minutes
2. A Motion to Approve the April 2011 Bills Payable for \$77,323.89

Trustee Duberstein asked to remove the April 12<sup>th</sup>, 2011 Regular Board Meeting Minutes to make an addition to the minutes. Trustee Daley asked to remove the April 2011 Bills Payable.

Trustee Walkington motioned to approve the April 12<sup>th</sup>, 2011 Regular Board Meeting Minutes; seconded by Trustee Barrett.

Trustee Duberstein stated that she wanted to change the April 12<sup>th</sup>, 2011 Regular Board Meeting Minutes to reflect the purpose of the Lake County Women's Coalition Annual Breakfast event was to recognize Lake County Women in government, community affairs and charitable activities. Mayor Soto stated that since this was not said at the last meeting this cannot be added. Further detail maybe added tonight which she will do in her Mayors report.

**Roll Call:**

**Ayes:** Trustees Derenoski, Tiffany, Duberstein, Barrett, Daley and Walkington  
Motion carried.

Trustee Daley motioned to approve the April 2011 Bills Payable for \$77,323.89; seconded by Trustee Walkington.

Trustee Daley explained that for Chris Electric we were billed for J.U.L.I.E. locate at Avon Township fields for \$242.45; this bill has been pulled and will be researched to see if it is an Avon Township bill.

Trustee Daley amended the motion to reflect minus \$242.45 from \$77,323.89; seconded by Trustee Walkington.

**Roll Call:**

**Ayes:** Trustees Derenoski, Tiffany, Duberstein, Barrett, Daley and Walkington  
Motion carried.

**Mayors Announcements**

Mayor Linda Soto clarified that the Lake County Women's Coalition Breakfast which she attended with the Clerk and Trustee Duberstein is a worthwhile group in Lake County. It is a cluster of smaller women's organization such as WINGS. Senator Suzi Schmitt was there. The annual breakfast recognized the history of women that accomplished a lot of terrific things in Lake County. It is also a fundraiser. They give scholarships to women who try to better themselves education wise.

The Lake County Municipal League Newly Elected Official Conference will be held Saturday, June 4<sup>th</sup> from 8:30 to noon at Mundelein Police Department. More details will follow.

Mayor Soto passed out a report regarding comments made from Hainesville businesses regarding the Grayslake Police Department. The biggest concern was from Lake County Automotive and Fine Line. Because of the gravel drive the police are not able to patrol back there (the Police did notify us) due to the tremendous size of potholes back there. Even though the street is not a village street, the Village had two loads of gravel delivered to make it accessible and now the police can patrol that area again. Mayor Soto discussed clean up issues with these businesses.

Mayor Soto reported that the tax bills will be mailed out in early May, which is due early June and September. They do want you to know that in these hard times, they are willing to work out payment plans.

Friday evening Mayor Soto will be attending the Mayor's Caucus tribute to Mayor Daley at Navy Pier. He was the founder of the Mayor's Caucus. The Caucus brings mayors together for quarterly meetings to work and get legislation downstate.

### **Standing Committee Announcements**

#### **Village Clerk**

Village Clerk Kathy Metzler reported that the Official Abstract of Votes as of April 20<sup>th</sup>, 2011 is as follows; Walter Kriese 199 votes, Kevin Barrett 176 votes, Gary Walkington 149 votes and Timothy Powell 83 votes.

#### **Wetlands and Open Space Committee**

Trustee Duberstein reported that the next meeting is May 5<sup>th</sup>. They are starting to plant new trees around the village and putting in new plants at the Deer Point Route 120 entrance.

#### **Finance**

Trustee Daley reported that the estimate of revenue, appropriation and budget is done. He thanked everyone for their help.

#### **Business**

##### **An Ordinance Repealing Chapter 3.12 of the Village Code and Establishing the Village of Hainesville Investment Policy**

Trustee Daley motioned to approve the Ordinance Repealing Chapter 3.12 of the Village Code and Establishing the Village of Hainesville Investment Policy; seconded by Trustee Barrett.

##### **Roll Call:**

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

##### **Motion carried.**

##### **Ordinance #11-4-146**

##### **2011-2012 Estimate of Revenue**

Trustee Derenoski motioned to approve the 2011-2012 Estimate of Revenue; seconded by Trustee Duberstein.

##### **Roll Call:**

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

##### **Motion carried.**

##### **2011-2012 Appropriation Ordinance**

Trustee Derenoski motioned to approve the 2011-2012 Appropriation Ordinance; seconded by Trustee Duberstein.

##### **Roll Call:**

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

##### **Motion carried**

##### **Ordinance #11-4-147**

## **2011-2012 Budget**

Trustee Walkington motioned to approve the 2011-2012 Budget; seconded by Trustee Daley.

Trustee Duberstein commented that it was great that this is finally on track.

### **Roll Call:**

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

**Motion carried**

### **Legislation Changes to Open Meetings Act Re: Approval of Minutes and Citizens Speaking at Meetings. Adoption of Procedures for Public Comment in accordance with new Open Meetings Act Requirements**

Village Attorney Jim Rock went over the two changes of the Open Meetings Act. The first does not need action to be taken because the Village is already doing it. Previously there was no time that minutes had to be approved. Now all meeting minutes must be approved within 30 days of the meeting or at the public body's second subsequent regular meeting. This is for regular as well as committee meeting minutes. The second had to do with Public Participation. Municipalities were not required by law to have a Public Comment section however now it is required. The public body should have rules established and recorded. Jim Rock went over the rules he was recommending that the Village adopt. It does not need to be an ordinance or resolution; it may be done as a motion.

Mayor Soto asked if we are past the Public Comment section on the agenda can someone ask to speak. Jim Rock stated that residents cannot comment except for the time it is on the agenda. Jim Rock recommended changes and further discussion took place regarding this issue.

Trustee Daley asked if the speaker is restricted to agenda items only. Jim Rock stated that the speaker is not restricted. However, if it is time consuming the Mayor can suggest adding the issue on the next agenda. Attorney Jim Rock discussed a municipality that refused to allow individuals to speak based on the content of the comment. The Illinois Supreme Court stated that was not allowed unless it is threatening or illegal.

Trustee Duberstein commented that there have been times when Mayor Soto has allowed residents to comment on an issue as it is being discussed. Will the Village need to add this to the motion. Jim Rock stated that is not needed in the motion because there is no requirement that the Mayor allow someone to speak on a topic during the course of a meeting but it is up to the Mayor to allow it or not.

The Mayor recommended that the Board think about this and then approve a final document at the next meeting.

**Approval of Contract Renewal for Manhard Water and Sewer**

Public Works Superintendent Jeff Gately stated that Manhard's contract was for 2 years that expired May 1, 2011. He proposed to Manhard that with the economy and budget they would leave their rates the same for 3 years rather than 2 years. The rates will stay the same for the next 3 years and all services are the same.

Trustee Barrett motioned to approve the contract renewal for Manhard Water and Sewer; seconded by Trustee Duberstein.

Trustee Daley stated that he was at a meeting with Manhard, the Mayor and Jeff Gately and asked Manhard what they could do to improve their services to the Village. He asked if Manhard would do a retainer rather than time and materials. Manhard stated that they would review this and make an offer.

**Roll Call:**

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

**Motion carried**

**Mayoral Proclamation Proclaiming May Motorcycle Awareness Month**

Mayor Soto stated that material will be sent to the Village and made available to the public on motorcycle safety.

Trustee Barrett motioned to approve the Mayoral Proclamation Proclaiming May Motorcycle Awareness Month; seconded by Trustee Walkington.

**Roll Call:**

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

**Motion carried**

**Approval of Temporary Construction Easements for 44, 54 and 64 N. Lisk Drive, Hainesville**

Mayor Soto stated that this the repair project previously discussed. The contract was awarded and this is the easement that allows the Village and its contractors permission to go on this private property. It was recommended by the attorney for the Board to approve the acceptance of the temporary easements.

Trustee Derenoski motioned to approve the Temporary Construction Easements for 44, 54 and 64 N. Lisk Drive, Hainesville; seconded by Trustee Duberstein.

**Roll Call:**

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

**Motion carried.**

## **Review of Standing Committees as found in 2.08.220 of the Hainesville Village Code**

Mayor Soto discussed the review of four Standing Committees. Community Relations was added by the Mayor and not one of the four which is in our Code book. There has been confusion at the Standing Committee level regarding the procedures and powers.

Attorney Jim Rock reviewed the Municipal Ordinance having to do with the Standing Committees. Each of the four committees should have at least two members; one being a chairperson appointed by the Mayor. The groups should meet at least once a month and the role is advisory. The responsibility of the Committees is advisory not to establish policy or authorize. Jim Rock stated that if this is not the way the Board intends the Committees to work then the Village shouldn't structure it this way in the Ordinance and if it is the way the Board wants it then the Village should do it this way. Jim Rock recommended the Village to follow the ordinance.

Mayor Soto stated that the other option would be to change the code but this should not be done lightly. The Committee is basically doing the research work and bringing their recommendations to the Board they are not in an authoritative position.

Trustee Duberstein asked if in the Ordinance the frequency of the meetings could be determined by the Chairperson of the Committee. Mayor Soto stated that Community Relations may need to meet more than quarterly. She will be reviewing the Committee work.

Mayor Soto suggested that the Board think about this issue and revisit it again at the May 10<sup>th</sup> Board meeting.

The Regular Board Meeting recessed at 7:46 to enter into Executive Session.

Mayor Soto asked for a motion to go into Executive Session to discuss personnel issues.

Trustee Derenoski motioned to go into executive session to discuss personnel issues; seconded by Trustee Walkington.

**Roll Call:**

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

**Motion carried.**

Trustee Barrett motioned to enter back into the Regular Board Meeting at 8:16 p.m.; seconded by Trustee Walkington.

**Roll Call:**

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

**Motion carried.**

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

Trustee Daley motioned that the Village of Hainesville hire Karyn Noble to fill the position of Utility Clerk commencing April 27, 2011 at \$16.00 per hour with job description per Personnel Manual; seconded by Trustee Walkington.

**Roll Call:**

**Ayes:** Trustees Derenoski, Tiffany, Duberstein, Barrett, Daley and Walkington  
Motion carried.

Trustee Duberstein motioned to adjourn the April 26, 2011 Regular Board Meeting.

**All in favor say aye, motion carried.**

**The April 26, 2011 Regular Board Meeting adjourned at 8:18 p.m.**

Respectfully submitted,

Kathy Metzler, RMC CMC  
Village Clerk