

## **June 25<sup>th</sup>, 2013 Regular Board Meeting Minutes**

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Linda Soto at 7:03 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, Kriese, Duberstein, Barrett, Daley and Walkington

Also present were: Village Clerk Kathy Metzler, Treasurer Kelly Hensley, Public Works Superintendent Jeff Gately, Building Official Russ Kraly, Building Official Aki Mishima, Village Attorney Jim Rock, Village Engineer Greg Gruen and Director of Water and Wastewater Rick Leber

Absent: EMA Coordinator Mike Benko

### **Establishment of quorum**

Mayor Soto read a public statement (see attached) regarding the Ordinance Regulating the Possession and Ownership of Assault Weapons in the Village of Hainesville. She recommended that the Village does not adopt this ordinance and instead the Village should rely on the State and Federal statute. She asked that Item 5 under Business be removed from the Agenda.

### **Agenda Approval**

Trustee Barrett motioned to approve the agenda as amended, removing Item 5 under Business; seconded by Trustee Kriese.

### **Roll Call:**

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

Mayor Soto added that this Bill moved quickly. The language kept changing in Springfield and the Village had a short window to look at this issue from all sides. Some municipalities have chosen not to look at it at all. The Mayor feels that is remiss and these items should be brought out and the public should be informed. The Board should understand the legislation coming into effect and think it through. If there had been more time, this would have been for discussion only without a proposed ordinance being on the agenda. Because there was a short window the Village did both. She urged people in the audience from other municipalities to go and urge their government to explore this issue from all sides. When the Governor signs this, the Mayor is concerned that Illinois is not prepared for controlling it properly. The Mayor serves on many legislative committees and she is seeking information from other states that do a good job of tracking the Concealed Weapon Permits.

### **Residents Ashley & Kaitlyn Wehrheim – Outstanding Achievements**

The Mayor recognized residents Ashley and Kaitlyn Wehrheim. They are May graduates of Grayslake Central High School with High Honors in the top 5% of their class. They were members of the National Honor Society, AP Scholars, Illinois Scholars, have been participants in the Illinois Science Olympiad, Best Buddies program and served on the Future Business Leaders of America. They have also been active in the American Sign Language Club, as well as participated and instructed in the Adaptive P.E. class, Environmental Club, Key Club and National Honor Society. They have both taught indoor swimming lessons for the Gurnee Park District and are currently swim instructors and life guards at the Grayslake Pool. They will both attend the University of Illinois in the fall majoring in Biology. They were recipients of the Round Lake Area Scholarship.

The Mayor presented each of them with a plaque for their outstanding achievements.

### **Public comments:**

R. Joseph Franzese, 561 N. Triumph, Hainesville, IL 60073 – stated that the Village is not home-ruled and cannot make their own laws. The Village and police cannot confiscate a legal product. He also stated that he cannot be intimidated nor have his rights restricted. He personally assured the Board that there will be a recall election for the Board and Mayor. Trustee Daley stated that the Board voted not to pass the ordinance. Mr. Franzese stated that the issue was tabled. The Board and Mayor reassured him that they were not going to pass the ordinance. In closing he suggested the Village get a new counsel because what was almost passed would have been costly for the Village. Trustee Daley stated that it was an opportunity for the Board to discuss this issue and the Board decided not to pass the ordinance.

The following audience members also participated in public comment. They all stated that they were against the Ban on Assault Weapons and thanked the Mayor and Board for not passing the ordinance:

- Kevin Mathewson, 6624 21<sup>st</sup> Ave., Kenosha, WI 53143
- Shannon Smigielski, 316 E. Big Horn Drive, Hainesville, IL 60030
- Hal Berger, 215 Prairieview, Grayslake, IL 60030
- Michael Basche, 435 Red Rock Dr., Lindenhurst, IL 60046
- Russ Cook, 37233 Parma Ave, Lake Villa, IL 60041
- Scott Szczesly, 312 N. Rosedale, Round Lake, IL 60073
- Layton Pennington, 558 Roosevelt Ct., Grayslake, IL 60030
- Keith Turner, 1320 N. Jackson, Waukegan, IL 60085

Georgeann Duberstein, 82 Tall Oak Dr., Hainesville, IL 60073 – was speaking as a resident not a Trustee. She instituted a tutoring program at Round Lake High School for incoming freshman not reading at grade level. The teachers and students were appreciative of the volunteers' efforts. Roberto Garza, center for the Chicago Bears, has taken it upon himself to put together Team Garza and is looking for volunteers, tutors and members of the community to help with literacy to reduce the drop out rate in high schools across the nation. They have put the Round Lake program, Read to Succeed, on

their recommended program list for volunteers. Georgeann also stated that the classes are from 8:00 a.m. to 9:30 a.m., 10:30 a.m. to 12:00 p.m. or 12:00 p.m. to 1:30 p.m. A volunteer only needs to spend 90 minutes a week to help. She asked that if anyone is interested to contact her. The Mayor stated that this is an accomplishment.

The Mayor recessed for refreshments which included cupcakes and brownies from Cocoa Sweets in Grayslake in acknowledgement of the Wehrheim girls and their guest audience and honoring the re-appointment of Kelly Hensley, Kathy Metzler and Rosanne Stark as Treasurer, Village Clerk and Deputy Clerk.

The meeting resumed at 7:52 p.m.

### **Omnibus Vote Agenda**

1. A Motion to Approve the May 28<sup>th</sup>, 2013 Regular Board Meeting Minutes
2. A Motion to Approve the June 2013 Bills Payable for \$155,126.48

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

#### **Roll Call:**

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

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

#### **Village Engineer**

Village Engineer Greg Gruen reported that the Village has an obligation to do an annual report for the NPDES (National Pollutant Discharge Elimination System) permit for General Storm water. This was completed and signed by Jeff. It will go to the EPA.

Rick Leber will be updating the Board on the water tower project.

Greg also stated that regarding the Washington Street improvements, from Cedar Lake to Hainesville Road, the utilities have started to be moved. The road crews are scheduled to start August 1<sup>st</sup>. From August 15<sup>th</sup> to December the road closure is scheduled from Cedar Lake to Hainesville Road. Greg stated that the project manager assured him Washington Street will be opened during the winter. It is probably a 12 month project. The website is [www.washingtonstreetinfo.com](http://www.washingtonstreetinfo.com) where the schedule will be updated.

#### **Village Attorney**

Village Attorney Jim Rock reviewed the request from Cranberry Lake Condo Association to modify the procedures declaring hardship rentals and modified the consent form. He also developed an independent contractor agreement with Mr. Mishima which is under Business on the Agenda. Jim also discussed with Mayor Soto the concealed carry bill and assault ban potential. He also prepared the Prevailing Wage Ordinance.

#### **Public Works Superintendent**

Public Works Superintendent Jeff Gately stated that he has had calls regarding the water being cloudy. Jeff explained the wells are pumping and running a little more than they

typically do, so when the system is on constant pressure there is a lot less turbidity in the system. So what is happening is the pressure is dropping down, we are filling back up based on pressure not on tower level. When the tower level drops we still have the same constant pressure within the system so the pressure is going down and coming up so that is stirring up a little bit of the settlement and turbidity throughout the watermain. So the water is safe to drink and we are still getting tested on a daily basis. Rick Leber assured everyone that the water is safe and is getting tested everyday.

Rick Leber from Manhard Consulting explained the issues that have come up with the water tower painting project; one being that there was no ladder inside the water storage area of the tower and two being the inside of the tower having to be fully brush cleaned and painted. Trustee Daley had some concerns regarding the delivery of the holding tanks for the water and delays due to weather. He asked Rick Leber if we could recover some expenses back due to the work delays. Rick will check into it. Trustee Duberstein asked about the warranty on the project. Engineer Greg Gruen stated the whole project has a 2 year warranty from the contractor. Jetco stated that if there were any paint issues; they would take care of it. Mayor Soto asked for that to be put in writing. The paint and coating has a 10 or 15 year warranty.

Jeff Gately added that the Emerald Ash Bore program which was to start June 30<sup>th</sup> has been delayed due to weather conditions and water tower issues. It will be implemented on July 15<sup>th</sup>. All residents should have received a letter and he will send a follow up letter to inform them of the July 15<sup>th</sup> date. He has heard from several residents who are upset about their tree being cut down.

### **Building Official**

Mayor Soto welcomed Aki Mishima. He has spent time with Russ getting acquainted with the Village and has met the staff. The Board was provided with Aki Mishima's qualifications.

### **EMA Coordinator**

EMA Coordinator Mike Benko was not at the meeting due to another commitment. The Mayor stated that Mike wanted to share that July is Heat Safety Month. There will be an article in the July newsletter. Mike also wanted to thank the residents who gave positive feedback regarding the contributions to the newsletter. Mikes goals as well as public safety goals are to provide interesting and informative articles in regards to disaster preparation. Residents are also reminded to maintain their emergency preparedness kits by replacing one item each month.

### **Treasurer**

Treasurer Kelly Hensley reported that the auditors were in on June 10<sup>th</sup> and it went smoothly. She was able to scan and send items to them before they came in to do the audit. She is waiting on journal entries and their reports.

### **Village Clerk**

Village Clerk Kathy Metzler reported that she sent in the challenge for the census. It was received and they will get back to the Village.

### **Mayor**

Mayor Linda Soto stated that Groot has filed their siting application for the transfer station. It was filed for the Village of Round Lake Park on June 21<sup>st</sup>. It was uploaded to SWALCO's website. There will be a link on the Village's website also. Next there will be public hearings within 90 to 120 days. The Village has 90 days to review the siting application which has to include various reports. SWALCO will review the reports and the Village will review them separately. The Mayor is waiting for the information. She is interested in the traffic study and the housing value impact study. Those reports will be forwarded to Greg Gruen and Al Maiden. The Village will also review SWALCO's recommendations. This will be a topic at the July Board Meeting.

Mayor Soto thanked Trustee Duberstein and her husband George for their Village clean-up efforts this past Saturday.

The Mayor also stated that Jeff Gately and his crew did a great job with the Electronic Recycling. They filled an entire semi trailer. There were a lot of televisions and the Village was able to salvage a working one so we can view any weather issues.

The Mayor reported that Hainesville Fest will not take place this year. They are looking to bring it back in 2014 as a weekend event. In lieu of the fest, this year there will be a Concert in the Park. There are two volunteer residents who are chairing and coordinating this event. The concert will take place Saturday, September 7<sup>th</sup> at Union Square Park. The set up is different in that the stage will face Hainesville Road so the sound goes out to the street. Residents are encouraged to bring chairs, blankets and picnic baskets with non breakable items. The Legion Hall will have their beer tent along with water and non-alcoholic beverages and Wine Knows will have their wine and craft beer tent. The bands are being confirmed.

The Mayor has also been attending meetings and trouble shooting issues.

### **Reports of Standing Committees**

**Finance** – Trustee Daley reminded the Board that because less revenue is being received from the state many projects are being put on hold until the results from the audit are received. Unfortunately when a project such as the water tower painting is being done the unspent fund shrinks.

**Public Works** – Trustee Walkington stated that he is waiting to meet with the Mayor and Jeff regarding the capital improvements. Trustee Daley asked about the fountain by the water tower not working. Jeff stated that it was unplugged until the algae issues are under control. That fountain is getting clogged once a week but Jeff doesn't know why. The other fountains are in route. Trustee Duberstein stated that she talked to Dave Coulter and Jeff can call him. Jeff stated that he would call Dave.

**Public Safety** – Trustee Kriese stated that on May 15<sup>th</sup> he met with the Mayor and Lake County Division of Traffic regarding the Rectangular Rapid Flashing Beacon (RRFB) which they are trying to install at Tall Oak and Hainesville Road. There were some minor changes to the permit. The new quote came in \$1,300 less because Lake County donated extra signage which was put up already. Lake County stated that the signs can be taken down and can be used when the Village puts up the RRFB. Greg stated it will be in tomorrow.

Trustee Kriese stated they had a Public Safety Committee meeting today and they reviewed the police report.

**Wetlands and Open Spaces** – Trustee Duberstein reported that the Village clean up on Saturday went well. Volunteers included ten students from National Honor Society of Grayslake and Round Lake High School and five residents.

The next Committee meeting is on July 11<sup>th</sup>.

The Great Age Club went to the Grayslake Heritage Center to view the Lincoln exhibit. The Village wide garage sale will take place July 20<sup>th</sup> and 21<sup>st</sup> from 9:00 a.m. to 3:00 p.m. The Salvation Army will pick up the leftovers on Thursday, July 25<sup>th</sup>. Residents interested in participating need to contact Trustee Duberstein.

Trustee Duberstein also stated that BEST is interested in increasing parent involvement and are having a planning meeting at Magee Middle School Cafeteria on July 23<sup>rd</sup> at 9:00 a.m. Activities will be planned to accomplish their goal.

## **Business**

### **Appointments and Swearing-in by Mayor Linda Soto**

**As Village Clerk – Kathy Metzler**

**As Treasurer – Kelly Hensley**

**As Deputy Clerk – Roseann Stark**

### **Purchase of Service Contract for Building Official – Akihiro Mishima**

Trustee Kriese motioned to approve the Purchase of Service Contract for Building Official Akihiro Mishima; seconded by Trustee Barrett.

#### **Roll Call:**

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

Motion carried.

The Mayor stated that we will sign the contract on Thursday morning with Aki. Akihiro Mishima left the Counsel Chamber at 8:45 p.m.

### **Approval for Additional Funds not to Exceed \$16,000 for Additional Expenses on the Water Tower Project**

The Mayor explained that the \$16,000 figure includes the \$5,000 for flip flopping; \$3,000 soft start part for Well 3 and the ladder for \$8,000. The Mayor noted that in a past township election there was an issue with the cost of a ladder. The ladder for our water tower is \$8,950.

Trustee Daley questioned if it would make more sense to strip down to the bare metal and re-coat it or is Rick Leber satisfied that the approach in this amount would last for a long time. Mr. Leber stated that typically it's not the product that fails but the workmanship fails. The improper surface preparation is what failed. To sandblast the interior of the tower it would fill up two semi loads of grit. This would add a cost of \$50,000 to \$60,000 more. This would be a workmanship guarantee of 2 years which the Village would have anyway. The product guarantee would be 10 years which now is 5 years. Rick said that Sherwin Williams has done this on hundreds of tanks over existing product and in 30 years they have never had one fail. He takes their word and feels to spend \$50,000 or \$60,000 is a waste of money.

Mayor Soto explained that with the prior prep the surface was not cleaned properly. There may have been an oil residue on the inside of the tank. Rick stated that the paint delaminated because the tank was primed at the factory but it was not cleaned properly when they were priming it. In this instance a couple of plates out of the entire water tower when it was being built was not primed properly, was welded, painted and filled. Rick feels this should be done because any loose paint on the inside will be taken care of.

Trustee Kriese asked if the Village should not allow any welding of antennas on the water tower due to the damage it has caused because of the heat of the welding in the past, or if we do should we have it re-inspected. Rick suggested that if and when it is done, they will need to look inside the tower to see if there is any damage and we make them fix it correctly.

Mayor Soto asked if the tanks were filled when the first alarm sounded. Jeff stated that they were filled but turned off. As the tank was drained the valve was opened to maintain the pressure. The tank was taken off line and everything was fine. At 2:00 a.m. an alarm rang and both the Mayor and Jeff got called regarding the alarm and residents were complaining there was no water. Well 3 pressures were extremely low and when it was reset the Well was fine. It happened again two more times. Jeff called Eric from Chris Electric to see why it stalls as it's shutting off. Mayor Soto stated that Eric hooked up a dialer so the pressure would not drop low. She was being notified through the dialer before the pressure drops below 40. Since the soft start was installed everything has worked properly. He is 98% sure the problem was taken care of but procedures are in place in case it happens again. The old soft start is working so it can be used if needed. It was suspected that the old soft start was causing the stalling of the well. Rick stated that the old one would trip out and then work for a while but then issues would arise. The new one cost about \$3,000. Rick also noted that if there is an issue with the new one it has diagnostic features.

Mayor Soto had a meeting with Rick Leber and John Rucker from Manhard, Eric from Chris Electric and Jeff to figure out what the problem was with the well. It was decided to purchase the soft start. The soft start was overnighed so it could be installed Friday morning before the weekend. When the part arrived and Well 3 had to be taken off line for the repair Jeff stated that Well 1 lost prime so the repair was delayed. This was due to air being sucked in. That doesn't happen when the tower is on line because there is pressure.

Rick stated that another issue was discovered but he hadn't had a chance to tell Jeff or the Mayor about it. It was discovered that the automatic drain line was sucking air through the line and he now believes that problem has been solved.

Jeff stated he would test the wells for a few days. The Mayor will sit with Manhard, Jeff, Chris Electric and maybe Trustee Kriese and Trustee Walkington to walk through the whole scenario and talk about what is in the well houses particularly Well 1; why things are or are not hooked up. Also, make a decision what should be maintained or replaced.

Trustee Daley stated that a review of the system should be made.

Trustee Derenoski asked if the amount should be increased in the event more money is necessary. Mayor Soto stated that she can poll the board if more money is necessary.

Trustee Daley motioned to approve Additional Funds not to Exceed \$16,000 for Additional Expenses on the Water Tower Project; seconded by Trustee Barrett.

**Roll Call:**

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

**An Ordinance Adopting Prevailing Wage Rates to be Paid to Laborers, Mechanics and Other Workers Performing Construction of Public Works for the Village of Hainesville**

Trustee Daley motioned to approve an Ordinance Adopting Prevailing Wage Rates to be Paid to Laborers, Mechanics and Other Workers Performing Construction of Public Works for the Village of Hainesville; seconded by Trustee Derenoski.

**Roll Call:**

**Ayes:** Trustees Derenoski, Kriese, Barrett, Daley and Walkington

**Nays:** Trustee Duberstein

Motion carried.

Ordinance # 13-6-175

**Request for Approval for Cranberry Lake North Condominium Association to Pursue the Proposed Leasing Amendment Language and seek the required 2/3 Owner Approval**

Trustee Derenoski motioned to approve the Request for Approval for Cranberry Lake North Condominium Association to Pursue the Proposed Leasing Amendment Language and seek the required 2/3 Owner Approval; seconded by Trustee Kriese.

Trustee Duberstein stated that this totally removes the Village from having any input in the occupancy percentage and she isn't sure that is a good idea. She felt the Village was concerned about having large rental property instead of having owner occupied. Attorney Jim Rock stated that it does not change the percentage it changes the process for determining the hardship. It still sets the cap at 15% unless there is a hardship. The hardship process is changed in that the Village Board is out of the voting. Also, it changes the definition of hardship. Now hardship is an owner who lists their condo unit with a realtor for six months. That has been eliminated and instead certain circumstances are identified. The Condominium Association Board takes a vote to determine if there is a hardship or not. Then there are also circumstances and procedures which are not considered hardships. The approval of this has to be presented to all the owners of the unit and 2/3 must approve the change in bylaws. The language has been revised in the original document so it acknowledges that all procedural and substantive requirements of the bylaws must be met before the Village consents to change the process. The Village Board has told them that if they want to change the process they must follow step by step all the rules. Mayor Soto added that anytime they have asked us to change their rules, we tell them we can't change your rules, you need to go to your membership. That is what they need to do to accomplish this.

**Roll Call:**

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

Trustee Daley motioned to adjourn the June 25<sup>th</sup>, 2013 Regular Board Meeting; seconded by Trustee Walkington.  
All in favor say aye, motion carried.

**The June 25<sup>th</sup>, 2013 Regular Board Meeting adjourned at 9:15 p.m.**

Respectfully submitted,

Kathy Metzler, RMC, CMC  
Village Clerk