

## December 14<sup>th</sup>, 2010 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 Derenoski, Tiffany, Duberstein, Barrett, Daley and Walkington

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

Absent: Public Works Superintendent Jeff Gately

### **Establishment of quorum**

The Mayor reminded everyone to please use their microphones so everyone can hear. Also she stated that the meetings will be recorded each month and in January they will be put on YouTube. Resident Dave Criz has volunteered to be the cameraman and we would welcome other volunteers.

### **Agenda Approval:**

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

Trustee Tiffany asked that under the Omnibus Vote Agenda G1 be removed to be discussed. Mayor Soto removed G1 which will be the next item of business after the Omnibus Vote Agenda.

Trustee Derenoski motioned to approve the agenda as amended; seconded by Trustee Duberstein.

Roll Call:

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

Motion carried.

Mayor Soto stated that the Holiday Mixer on Saturday was a success and showed a power point presentation regarding the event.

Mayor Soto also stated that a CTY call was made on Sunday regarding removing cars off the street in order to plow.

**There were no Public Comments.**

## **Omnibus Vote Agenda**

1. A Motion to Approve the November 9<sup>th</sup>, 2010 Regular Board Meeting Minutes
2. A Motion to Approve the November 16<sup>th</sup>, 2010 Special Board Meeting Minutes
3. A Motion to Ratify the November 2010 Bills Payable for \$68,952.56
4. A Motion to Approve the December 2010 Bills Payable for \$112,295.31
5. Lake County Crime Stoppers Month Proclamation
6. Approval of An Ordinance Establishing Regular Meeting Dates and Standing Committee Meeting Dates for 2011
7. A Motion to Approve the Pay Request #2 of 2 for Behm Pavement Maintenance, Inc. for \$2,113.35

Trustee Daley motioned to approve items G2 through G7 as presented; seconded by Trustee Barrett.

Roll Call:

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

## **Items removed from the Omnibus Agenda for discussion:**

1. A Motion to Approve the November 9<sup>th</sup>, 2010 Regular Board Meeting Minutes

Trustee Tiffany requested that the minutes reflect a change on page 5, last paragraph. They should read "that the meeting times were discussed and we agreed to meet 30 minutes before the Special Meeting between Trustee Tiffany, Trustee Derenoski and Mayor Soto."

Trustee Tiffany motioned to approve the minutes as amended; seconded by Trustee Walkington.

Roll Call:

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

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

### **Mayors Report**

Mayor Linda Soto noted that along with the addition to the minutes she also distributed a memo regarding the reason behind her decision to dissolve the Community Events Committee. Mayor Soto explained that the Village has standing committees that exist by our municipal code. There was an ad-hoc committee, which was formed at the Mayors discretion and they are temporary committees. This particular one has been around a long time and she didn't want to dissolve it. She asked the Chairperson if he would be willing to change this as a Community Events Committee and offered guidelines. That was agreed upon at that time and she assigned an additional Trustee to the Committee. After 18 months there has only been two committee meetings and only at the Mayors insistence. There also hasn't been any budget planning or effort put into any other Community Events and a disconcerting lack of collaboration between the Trustees on the Committee and with the Mayor's Office. Mayor Soto has decided to dissolve the ad-hoc Committee. From now on Community Events will be decided upon by the Board and Chairperson's will be appointed on an "as need" basis. This provides an opportunity for residents or other officials to chair a committee for that event as in years past.

**Clerks Report**

Clerk Kathy Metzler is happy to report that the request for service is now working on our website.

Yesterday was the first day for petition filing and we had two petitions turned in for three seats. Today Kevin Barrett filed his petition. The last day to file is Monday, December 20<sup>th</sup> at 5:00 p.m.

**Treasurer Report**

Treasurer Kelly Hensley stated that her items are under Business.

**EMA Coordinator**

EMA Coordinator Mike Benko is at his employer's holiday party. He has supplied the Village with the final draft of the EOP.

**Building Official**

Building Official Russ Kraly stated that his monthly report has been distributed. He also reported that Russo Equipment came in to pick up their permits. Trustee Daley stated that they have paid over \$14,000 in fees already which was not budgeted for which is extra income for the Village.

**Public Works Superintendent**

Public Works Superintendent Jeff Gately was attending his daughter's holiday concert tonight. The Mayor stated that Jeff has been out a lot during the storm and worked the Holiday Mixer.

**Attorney**

Attorney Jim Rock reported that he has been working on real estate transactions and ordinances. He also stated that the easement issue has been resolved for Walgreen's. Mayor Soto added that the bike path is moving forward and it will be built 5 feet off the road and will go to Route 120 starting in the spring.

**Village Engineer**

Village Engineer Greg Gruen reported on the drainage problem at 347 Deer Lake Drive. Two proposals have been submitted from American Pipeliners in the amount of \$15,850 and Kennedy Construction in the amount of \$22,000. American Pipeliners has been selected for the work which should be done by Friday. This was a critical situation that needed to be done before the spring thaw. The costs and approval was performed by the Public Works Committee.

Greg Gruen recommended releasing the \$2,113.35 retainage on Behm Pavement. Their performance bond is still valid until November 2011. He has also submitted a proposal to the Public Works Committee to perform a comprehensive pavement evaluation for the Village.

Greg also reported that he was able to confirm that the pond behind the Lisk Drive lots is not under the US Corp of Engineers jurisdiction. Lake County SMC will be the permitting authority for the project.

Greg Gruen recommended budgeting \$40,000 for the Pineview Apartment Watermain extension construction in next year's budget. This is based on the quotes that have been received. The plans will be developed and forwarded to the IEPA in 30 days.

Greg Gruen also reported that the IEPA contacted him regarding the Stimulus Loan Program the Village applied for two years ago. The program is no longer available, however, the IEPA is offering their standard 2% - 2.5% loan, 20-year term to municipalities for sewer and water related work. We will be working with the Public Works Committee concerning identifying projects that the Village may want to include in this package.

**Reports of Standing Committees:**

**Finance** – Trustee Daley stated that the budget forms have been distributed and due January 11, 2011. The committee has tried to get ahead of the game this year. They are trying to have a budget in place by the end of the fiscal year. The Tax Levy will be approved this evening and waiting to see what the county will do.

**Public Works** – Trustee Walkington stated that Village Engineer Greg Gruen has gone over the Public Works report including the water main extension projects. Greg stated that the Village is about 18 months away from getting any money. It will be a low interest loan for the full amount. Trustee Daley asked where the Village stands on the connection. Trustee Walkington stated that they are still waiting to hear from the IEPA for a permit. It will be a spring project and cannot go out for bid until the Village receives the permit.

**Public Safety** – Trustee Barrett stated that he would like to initiate the Adopt a Hydrant program by putting an article in the newsletter. The homeowners could then shovel out the hydrants so the Fire Department can find them. Mayor Soto stated that some of the main hydrants will have flags. Trustee Barrett stated that he will coordinate this with Jeff Gately. Trustee Tiffany asked if the new tractor can be used for this purpose. Trustee Daley stated that he has a hydrant in his yard and would not want a tractor digging in the front yard. Mayor Soto agreed and suggested that perhaps this can be discussed along with the snow removal from sidewalks.

Trustee Barrett also updated everyone on Shop with a Cop. There has been in excess of \$1,200 donated so far and 31 children will take part on Sunday. Many different police departments will be volunteering their time. There will be a movie shown at the Village and Piggly Wiggly has donated a complete turkey dinner for each family. Strang Funeral Home will wrap all the presents. Trustee Barrett applauded the Hainesville businesses for their monetary contributions. The Village Hall should be opened at 7:00 a.m. and the families will start arriving at 8:00 a.m.

**Wetlands and Open Spaces** – Trustee Duberstein stated that she placed an article in the newsletter asking residents for suggestions or comments about projects to be considered. She received about 5 suggestions/comments and has responded to them. She may go out with the residents to see the concerned areas. Our next meeting is the 4<sup>th</sup> of January and at that time they will finalize the priority of the projects for next year.

**Community Relations** – Trustee Derenoski stated that he is working on his budget. He also updated everyone on the website.

## **Business**

### **SSA Tax Levy**

Trustee Daley stated that they decided to keep the SSA Tax Levy in existence in case they need to go back to it, however, no money is being collected.

Trustee Derenoski motioned to approve the SSA Tax Levy; seconded by Trustee Walkington.

Trustee Duberstein stated that she would at some point like the SSA amended so that either the Village gets rid of it altogether or it includes the whole village. She is reluctant to approve an SSA just for Cranberry Lake when everyone benefits from what is being done.

Roll Call:

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

Motion carried

### **Tax Levy Ordinance for the Fiscal Year Beginning May 1<sup>st</sup>, 2010 & Ending April 30<sup>th</sup>, 2011**

Trustee Barrett motioned to approve the Tax Levy Ordinance for the Fiscal Year Beginning May 1<sup>st</sup>, 2010 and Ending April 30<sup>th</sup>, 2011; seconded by Trustee Daley.

Roll Call:

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

Motion carried.

Village Clerk Kathy Metzler stated that the Ordinance for setting the meeting dates under the Omnibus is #10-12-138. The Tax Levy Ordinance # is 10-12-139

### **Illinois Municipal League Risk Management Association Insurance Renewal**

Trustee Barrett motioned to approve the Illinois Municipal League Risk Management Association Insurance Renewal; seconded by Trustee Daley.

Roll Call:

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

Motion carried

### **An Ordinance Establishing Municipal Potable Water System Cross-Connection Control Regulations and Repealing Section 13.08 of the Village Code**

Trustee Derenoski motioned to approve the Ordinance Establishing Municipal Potable Water System Cross-Connection Control Regulations and Repealing Section 13.08 of the Village Code; seconded by Trustee Duberstein.

Village Engineer Greg Gruen explained that for every connection to the Village water system there has to be a backflow preventer and this requires it to be a RPZ unit which is top of the line. This requirement is just for businesses.

Roll Call:

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

Motion carried.

Ordinance # 10-12-140

### **Adoption of the Village of Hainesville Emergency Operations Plan for 2010**

A revised Plan was distributed to the Trustees with minor corrections. The Fire Department, Police Department and Attorney Jim Rock all reviewed the plan. After it is adopted it will be forwarded to Lake County and the State for approval. All the agencies involved will sign off on a sign off sheet and the Trustees will receive a copy of the sign off page.

Trustee Barrett motioned to approve the Adoption of the Village of Hainesville Emergency Operations Plan for 2010; seconded by Trustee Derenoski.

Roll Call:

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

Motion carried.

### **Sidewalk Snow Removal**

Mayor Soto explained the reason for a possible ordinance regarding sidewalk snow removal as well as digging out fire hydrants. Several residents have complained of bus stop corners having sidewalks that are not shoveled by sidewalk owners. This is the driving force behind this issue at this time. A homeowner feels that if they shovel and someone falls the homeowner will be liable but if they don't shovel and someone falls they will not be liable. Attorney Jim Rock stated that statement is not true and explained the Snow and Ice Removal Act, which states that if a homeowner removes snow or ice from their property they cannot be held liable for any personal injury. Mayor Soto stated that she will do an article regarding this issue.

Two ordinances regarding snow removal were given to the Trustees. Discussion took place. Mayor Soto stated that she will take the information Jim Rock has given her to the residents with this issue and see what the response is. Depending on the feedback, the Village could draft an ordinance regarding this issue at the January meeting. Attorney Jim Rock explained the Antioch ordinance.

Mayor Soto reiterated that she will go to the residents with the information, an article will be written for the newsletter and something will be on the website. After getting feedback the Village will draft an ordinance for the January meeting. Attorney Jim Rock stated that if the hydrant issue needs to be addressed it should be separate.

Mayor Soto asked for a motion to go into executive session regarding the acquisition of property; the Boysen Well Property Real Estate Sales Contract.

Trustee Derenoski motioned to go into executive session; seconded by Trustee Barrett.

Roll Call:

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

Motion carried

The Regular Board Meeting recessed at 8:00 p.m. to enter into Executive Session.

Trustee Barrett motioned to enter back into the Regular Board Meeting at 8:42 p.m; seconded by Trustee Daley.

Roll Call

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

Motion carried

**Matters from Executive Session to be Voted on:**

**Boysen Well Property Real Estate Sales Contract**

Trustee Duberstein motioned to approve the Boysen Well Property Real Estate Sales Contract in the amount of \$824,000; seconded by Trustee Barrett.

Roll Call:

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

**Nays:** Trustee Tiffany

Motion carried.

Trustee Daley motioned to adjourn the December 14, 2010 Regular Board Meeting; seconded by Trustee Derenoski.

All in favor say aye, motion carried.

**The December 14, 2010 Regular Board Meeting adjourned at 8:43 p.m.**

Respectfully submitted,

Kathy Metzler, RMC, CMC  
Village Clerk