

COMMITTEE MEETING
THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE
June 28, 2007, 7:00 pm

CALL TO ORDER Mayor Thomas P. Hyde called the meeting to order at 7:00 pm.

ROLL CALL Roll call indicated the following present: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio.

Also in attendance was: Scott Puma, Ancel, Glink; Willie Kootstra, Pubic Works and Connie Mascillino, EMA Director.

1. Mayor Hyde began by introducing Janelle Christensen from the Lake County State's Attorney Office. Ms. Christensen is here this evening to review the Open Meetings Act with the Board. Ms. Christensen handed out information to the Board Members. She stated that she wanted to meet with the Village Board as many of the Board Members are new. Ms. Christensen reviewed the Open Meetings Act, talked about the 24 exceptions, stated that with a 7 member Board a Quorum is 4 and a majority of a quorum is 3. She explained that with a 3 person committee, separate from the main public body, a majority of the quorum is 2 so therefore, they can never have a one-on-one conversation. With a 7 Member Board, independent, separate calls to each Board Member is okay but if 3 are together, discussing public business, they are subject to the Act. Ms. Christensen recommended keeping committees larger than 3 so 2 Members are able to talk. An extensive presentation was given by Ms. Christensen to the Board Members and then discussion with the Board.

2. Presentation by Mark Janeck of Circle Land Development

Mr. Janeck stated that the Annexation Agreement is almost in its final form. This project to date has been reviewed properly by various state agencies. Trustee Saville verified with Trustee Herrmann that herself and the previous Board extensively reviewed this project and she concurred. Trustee Herrmann questioned that they had talked in the past about decreasing the number of models homes and Mr. Janeck replied that that's where they all had left off on the plan that he provided to everyone this evening. Trustee Ponio asked if the water tower was ever considered for this project and Mayor Hyde replied that they never looked at it for near the park area. Mayor Hyde said there was consideration at one time on an out lot that was part of the project. Trustee Saville asked about a time line for this project and Mr. Janeck replied that it really depends upon the sanitary district as the area is not fully sewer-ed. Final engineering needs to be done as well. Trustee Ponio asked if there would be one contractor for this project and Mr. Janeck explained that there will most likely be 1 to 2 different builders. Trustee Ponio referred to the development across the street and Mr. Janeck replied that he did not expect this project to be that way. He said that he would like a build out time frame though from Mr. Janeck. Trustee Ponio asked if there would be phases and Mr. Janeck said there will most likely be 2 phases. The phasing plan is in the annexation agreement. Trustee Saville inquired about the various impact fees and the monies that are set aside. Mayor Hyde explained that the past Board worked out extensive money to be put aside for parks amounting to about \$3000 per home. Attorney Scott Puma explained too that Mr. Janeck, in lieu of cash, is putting in a parking lot, baseball diamonds, bike trail, etc. Mr. Janeck will meet with Attorney Puma next week to finalize the annexation agreement. Trustee Ponio asked about the price of the homes and Mr. Janeck replied that they will be about \$350,000 to \$425,000. There are 11 lots with look outs and many will offer walk out basements.

3. Discussion of Various appointments/reappointments for Village Commission and Committees

Mayor Hyde passed out his recommendations for appointments/reappointments. He also passed out letters that have been received thus far on those individuals that would like to be reappointed to their current positions. Trustee Garling pointed out that within the Village ordinances, there are other committees that have no members and appear to be inactive. Mayor Hyde stated that the Board has to decide if they would like to bring any of these committees back. He said that some committees phase in and then phase out on an as needed basis. He said that he welcomed these back and that they would have to be re-established. Mayor Hyde stated that he would like to see a Downtown Revitalization Committee.

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4. Discussion of repair of the microphone and speaker system in the Board Room

The Board Members agreed to move forward with this as many of the microphones do not work and it's difficult to hear meetings in the Board Room especially when the air conditioning system turns on.

5. Discussion of Memorandum of Understanding between the Village and Sheltering Oaks

Connie Mascillino stated that the Administrator has to review this document yet as well. Mayor Hyde replied that he had just received a letter stating that the Administrator is okay with the document. Trustee Ponio asked how long it takes to evacuate Sheltering Oaks and Mayor Hyde replied that it depends upon the situation and how the people are being transported.

6. Discussion of Prairie Woods emergency access road

Trustee Herrmann stated that she was notified today that there is now a sign up in that area that says temporary access road. Trustee Ponio inquired about the road itself and Willie Kootstra replied that the road is wider in width. The road had to be wider in order for construction traffic to move through. Trustee Ponio stated that that drawing shows a gate at each end. Mr. Kootstra said that the gates are to deter traffic; however, the Fire Department is not acceptable to gates.

A gentleman from 2816 Spruce Terrace asked to speak to the Board Members and the Board Members agreed. He explained that there are a lot of bicyclers, many are walking, etc., as well as it's a dark road and there are a number of trees along it. He said that many are cutting through on this road. HE suggested leaving this gated and using this road only for emergency purposes as originally decided. Trustee Saville stated that as a resident at that time, he too remembers that this road was supposed to be gated. Mr. Kootstra again stated that Mike of the McHenry County Fire Department does not want a gate due to gates slowing down response times. Trustee Saville stated concern if a gate causes a decrease in response time as well as Trustee Sadoski expressed concern. Trustee Ponio suggested putting up a temporary barricade until the fire department is called again to see what would be acceptable to them. Mr. Kootstra explained that residents have moved in; however, the roads have not yet been turned over to the Village. Mayor Hyde stated that there are 2 solutions—a gate or putting a sign up and put teeth in it by ticketing. Mr. Kootstra explained that public safety is number 1 especially with individuals moving in now. He said that he had a meeting already with the Fire Department and the letter that was received by the Village is the result of that meeting. He said that he is waiting for a Board decision on this matter. Attorney Puma suggested speaking with the Fire Department again. He said that they have to deal with gates all the time and that there are many types of gates out there that offer fast entrance to a particular area. Mr. Kootstra said that the developer will put in whatever the Board decides to do but they are waiting as well as Mr. Kootstra is waiting for the Boards decision.

7. Discussion of Mayor, Clerk and Trustee Follow Up system

Mayor Hyde passed out a follow up system flow chart and suggested that this be used by all moving forward so projects can be tracked with ease.

8. Review of easement requests from Wauconda School District 118

Attorney Puma stated that Mr. Kootstra has worked with the School District on this matter. They have made the appropriate changes that Attorney Puma has requested. A dedicated easement is the purpose of this matter.

Motion by Trustee Herrmann, properly seconded to open the meeting to the floor.

Connie Mascillino reported that EMA, for LakeFest, will be handling the parking for the event. They only collected donations for parking, they do not charge for parking. It's strictly on a donation basis. The Board Members were okay with this.

Louie Sharp, 4378 Shooting Star: Mr. Sharp handed out a brief summary of the meeting that took place on June 14th. He reported that there were false statements made about himself and his business. Mr. Sharp said that he is referring to Sharp Auto Body which is at 227 W. State and Sharp Auto and Truck Repair which is at 128 E. State. He explained that at the body shop they do collision repair and at auto and truck they do mechanical repair. For the record, they do towing also. They two to the mechanics

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shop and the collision shop. At the collision shop, everything is paved. There is a triple catch basin that's cleaned out regularly by a legal HAZMAT hauler. He also has at the mechanic a \$15,000 piece of equipment which is a recycler. The recycler takes out all the solvents. They do not dispose of liquids. Everything that is disposed of is solids. Mr. Sharp stated that he meets as well as exceeds the Village ordinances. He also meets and exceeds the State and Federal and OSHA EPA requirements. Mr. Sharp explained that he has been running the mechanics shop for 7 years in November. He does not own that piece of property as John and Charlie Amrich still own that piece of property. The property is highly contaminated and has been for at least 8 years. It is contaminated with gasoline by-products and most of the results, from the last monitoring, show an excess of 300 to 400 x's the State allowable limits. Mr. Sharp said the last time that this had been monitored, it had spread across the street to Culver's and to the best of his knowledge, the Mexican restaurant which is less than 100 feet away, is still on a private well. Mr. Sharp stated that when these comments were made about his business, he was very disappointed that Mayor Hyde, since he has all this information on this situation, he did not say anything. Mr. Sharp said that the last 5 years he has also offered a recycling program. This program is for anyone, not just his clients. He collects and recycles for individuals oil, transmission fluid, etc., so that none of these items of disposed of improperly by people. He does not charge for this service. Mr. Sharp requested two things from this Board. He would like all the comments made by Trustee Ponio stricken from the meeting minutes as well as he requested the Clerk permission to put out a press release, by the Board, apologizing to him and his company for the inaccurate and false statements. Trustee Ponio questioned if the parking lot is gravel. Mr. Sharp replied that he can not blacktop the parking lot, on the Amrich property, as he does not own that property. He explained that he tried numerous times even to tear down that house and the Amrich's will not give him permission to do so. Even at his cost. Mr. Sharp said that he can not blacktop the property until the property is cleaned up. Trustee Garling questioned where the EPA is at this point with the property. Mr.

Sharp replied that 2 ½ weeks ago, the EPA sent the Amrich's a registered letter requesting that they respond to them as to what their plan is. The Amrich's sent the letter back unsigned and unopened to the EPA. He asked what the Village can do to assist and Attorney Puma replied that it's an EPA issue. Attorney Puma said that they are usually vigilant if they have knowledge that something is contaminated. Trustee Ponio questioned Mr. Sharp why he runs a business then if he knows the property is contaminated. Mr. Sharp replied that whether the property is clean up or not, which it is not, it doesn't change the fact what Trustee Ponio said about himself and his business. He is not here to solve EPA issues but rather to resolve the false statements that were made by Trustee Ponio. Mr. Sharp said that the conversation prior to this was about an alleged HAZMAT spill at the Wargaski property. He feels it is completely unfair that Trustee Ponio dragged Mr. Sharp's business into that conversation and especially since they were discussing a HAZMAT spill on another property. Trustee Ponio said it was latex paint and that it is not Village property. He said that Mr. Sharp is in the Village and he has a gravel parking lot. He said that cars, in need of repair, are parked on gravel. Trustee Ponio explained that if they are going to go over and check a piece of property with a spill that is not in the Village, that he would suggest that they should be checking then property within the Village. Mr. Sharp said the statements are inaccurate and he is in compliance. He is not spilling anything anywhere. He welcomed Trustee Ponio to come visit both locations. Mr. Sharp does not understand why Trustee Ponio brought in, himself and his business, when he was talking about Mr. Wargaski. He is here is clear his name and that such comments, made by Trustee Ponio, have an impact on his business. Trustee Garling stated that he feels that Mr. Sharp's auto body is one of the cleanest around and that he takes his own vehicles there to be repaired. Trustee Herrmann said that Mr. Sharp is here to debate that he has been slandered, publicly slandered. Mayor Hyde suggested the Board take consideration in removing this from the meeting minutes. Attorney Puma stated that he needs to look into this. Mayor Hyde said or the Board can make a statement through a press release. Mayor Hyde agreed that Mr. Sharp should not have been mentioned in that conversation as another topic was being discussed. The Board will await an explanation from the Attorney regarding the minutes. Trustee Verciglio stated that the problem here is what was interpreted by others by what Trustee Ponio had said that evening. Trustee Ponio apologized to Mr. Sharp. He said that he does have a problem though still with wrecked cars being parked on gravel in the Village. Mr. Sharp said that he is not parking wrecked cars on gravel surfaces. He suggested Trustee Ponio stop by and tour the business. Trustee Ponio replied that he did not mean wrecked cars and then said maybe he should come out and see the businesses himself. Mr. Sharp would like to have a press release to the paper from the Board. The Board agreed to this.

Don Congdon, of Island Lake, stated that he is back for the third time asking the Board for a long range plan to clean up the lake. He said that Island Lake is supposed to be the central beauty of Island Lake and is supposed to be where families and individuals can enjoy themselves. Instead, Mr. Congdon explained that there are increases in the amount of phosphorous and filth on the bottom. There is much duckweed along with other invasive plants which are growing leaps and bounds during the past few

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years. The water clarity of the lake is only about two to three inches. The Lake County Health Dept. four years ago rated Island Lake as number 90 out of 130 lakes tested in Northern Illinois. If something is not done soon, the beautiful ecosystem and its surroundings is going to parish. He said the following steps need to be taken: one, a study needs to be completed by professionals including testing of the silt. Two, monitoring the nutrient flow coming into the lake every day. Three, dredge out the accumulating filth. Negotiate with Golden Oaks Farms on using the dredged material to their benefit and to devise a plan so that filth does not keep going into the lake. On April 5th, Integrated Lakes Management made a presentation to the Board. After much discussion, the Board decided to give the responsibility to the Lake Management Committee. They told Mr. Bob Carpenter to start devising a long range plan. In the past, Mr. Congdon said, Mr. Carpenter was not in favor of dredging or the cleaning up of the lake. Mr. Congdon said that there was nothing in their April meeting about this. He attended the May meeting and there was still no sign of this on the agenda. Mr. Congdon asked why, and at the meeting, Mr. Carpenter said that they had not been asked yet by the Mayor to perform this duty. In June, there was still nothing on the Committee agenda for this. Mr. Block said he was not notified by the Mayor. Mr. Congdon said that the Lake Patrol does a good job overseeing the lake making sure all are properly stickered, etc.; however, the lake does not have very many emergencies that it has to encounter. Mr. Congdon said the Dorothy Beach shoreline protection took two years to put into action; however, it looks great. Other than shaking goose eggs each year, trying to get the hydrator working on Circle Lagoon and regulating the Island Lake LakeFest, the Lake Management Committee has really missing the boat on what's most important. The Committee came up with a list of goals to improve the lake at their last meeting. Cleaning was not one of them. Mr. Carpenter is telling everyone that the clean up project for the lake will cost \$3 to 6 million dollars and he questioned where these figures are coming from. Mr. Congdon suggested getting real quotes. Mr. Congdon asked the Village Board to create an ad hoc committee to develop a long range plan with viable options and estimations and to report back to the Board by the end of October. Mayor Hyde replied that some of the Board Members heard this presentation given by Integrated Lakes Management and said that its really up to the Board as to what they would like to do. There is assigned Trustees to specific committees. Lake Management falls under Public Works. Trustee Saville asked how many people live on the lake. The majority of the people do not live on the; however, that has nothing to do with it, Trustee Saville said. He asked Mr. Congdon how much, as a resident, he would be willing to put out of his own pocket for such a project and to help clean up the lake. Trustee Saville asked if it would be fair for those who live around the lake to possibly be assessed a special tax and the money used for such a clean up. Or, if Mr. Congdon would be willing to go out 20 to 30 feet and take care of the vegetation in front of his home, etc. Mr. Congdon replied definitely as long as this constitutes working together as a team to get this done. He feels that the lake is a signature part of the community. Trustee Saville said, as Integrated Lakes Management said, this can't be band-aided. Trustee Saville said that the Village basically is limited on funds though but possibly seeing what others could contribute possibly would help. The Lake Management budget was inquired about. \$500 per house that's permitted coming into Island Lake goes to Lake Management. Mr. Congdon reported that politics plays a roll when working with Lake Management though. Mayor Hyde said that Lake Management is

a team of people; however, maybe two teams are needed. One to work on projects going on now and maybe one to work on the clean up of the lake. He would like them to work in harmony though. He feels that everyone needs to find a way to get along. Mayor Hyde said the Village reached out years ago and did a full dredging. The channel system needs to be looked at. Realistic plans and objectives needs to be looked at. 3 to 4 days of spraying is currently taking place as reported by Jeff Block of Lake Management. Trustee Saville stated that everyone will work together and they'll work on coming up with a plan.

Tom Kaczmarek, 703 Fox Trail: Mr. Kaczmarek questioned the money coming in from impact fees and where it's going and what it's earmarked for. He suggested that the Village look more closely at the money coming in and work on money to come in for the Police Department, Public Works, etc., instead of so much for Park and Recreation, etc. The Village has to add police cars, trucks for public works, etc., as the Village grows, this possibly should be more closely looked at, overall, for the Village so there's monies going into each area. Trustee Herrmann said that the Village is one of the highest in the area for impact fees. Trustee Herrmann said that there's nothing that says that the Board can't money and allocate it to particular departments if need be. Mr. Kaczmarek is concerned as there's clearly areas and departments in the Village that are suffering and could use funds to come in to help.

Jack Schall, Roberts Road: Mr. Schall heard that the engineering was all done for the property next door. Mayor Hyde said that he does not think so. He knows the Village engineer has looked at it but does not know if it has been completed. Mr. Schall said he had heard this from some friends.

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Attorney Puma stated that that's all as Mr. Schall is in litigation with the Village. Mr. Schall was as to where the project is at. Mr. Schall stated that he did not know that he was in litigation with the Village. Attorney Puma replied that he is suing the Village. Mr. Schall replied that they have been trying to get the Village to show up in court for 6 to 8 months now and all he hears is excuses.

Motion by Trustee, properly seconded to bring the meeting back to the Board. All in favor.

Items from the Clerk, Trustees and Department Heads

- Trustee Saville mentioned the AT & T Lightspeed project. He spoke to AT & T and this project. They are wanting to compete against ComCast. Trustee Saville was told that there is a law that passed in Springfield last week and he'd like to come to Island Lake, as previously planned, to start the permitting and get the project going in Island Lake. They are seeking the Village's okay to do this project out of courtesy to all. Attorney Puma explained that the paperwork needs to be amended though so that the right of ways can be gone into by AT & T legally. This has to be completed before any permits are issued to anyone. Otherwise, the Village will control on what goes into the right of ways. Attorney Puma said that the bill that passed last week and ComCast has a franchise agreement. AT & T is thinking that the bill covers everything and that needs to be looked into for sure. The Village has a draft of this agreement. An ordinance needs to be completed by Attorney Puma and voted on.
- Trustee Saville mentioned that he received all the research from Clerk Kaczmarek and Frank DeSort regarding business licenses. He would like this to be discussed at the next meeting.
- Trustee Saville provided Attorney Puma with a copy of the employee handbook. Trustee Saville stated that an employee's vacation was supposedly pre-approved; however, there is nothing within the Village's meeting minutes. Trustee Saville said the Interim Police Chief took vacation. He went through the Village policy with the Board Members. He has spoken with the attorneys on this matter. Monday the ordinance went into effect. Trustee Sadoski said yes, the ordinance went into effect on June 25th. One has to end, meaning the contract, before going into the second, which is the ordinance that passed and went into effect on the 25th. This has to be gone over and a decision needs to be made.
- Trustee Saville requested Executive Session for personnel this evening.
- Trustee Verciglio stated that Park and Recreation met this past week. The July 4th parade is ready to go which Connie Mascillino has organized and put together. At the meeting, discussed at length, was the July 14th LakeFest and Fireworks. They went over the bids for the music and made a decision. They met with Public Works and everything is set for their assistance with LakeFest. The streets will be closed early Saturday morning for the event. 4th of July clean up is all set to be assisted with by Public Works. The Legion will be providing the hot dogs for the picnic at Veteran's Park.
- Trustee Herrmann reported that John Little has been doing some research on companies for the Village Phone system maintenance. He is bringing forward a new company with more competitive pricing, Borg Morgan. They offer better coverage with a savings. The contract is for four years. The first year the Village would save \$792, second year \$1600 and the third year \$2400 in savings.
- Trustee Herrmann reported that a new public works truck was approved in the budget and it has arrived. John Little has collected several bids for the loans. The First National Bank of McHenry came in with the lowest interest loan of 4.5%. This needs to be voted on by the Board.
- Trustee Garling stated that Lake County Partners is coming in to do a presentation next week to the Board. He asked Clerk Kaczmarek to print up the materials that he had emailed over.
- Trustee Garling reported an email he received regarding Bassler Drive and commercial development.

- Trustee Garling reported that preliminary plans for the Rimas Lodge property was presented at a TAC meeting this week. They would like to present the preliminary plan to the Board on July 5th.
- Trustee Garling spoke to Attorney Jim Kaiser and the Huffman's regarding 419 E. Burnett. They plan to present to the Board on July 26th.
- Trustee Garling said that he would like to start talking with the residents at various village events regarding economic development in the Village. He is asking for assistance from the Board Members in speaking with residents. This will be a guide for economic development for the Village.
- Trustee Garling request Executive Session this evening for the sale of Village property.
- Trustee Sadoski reported that a police vehicle is missing. It is in John Fellmann's driveway. He has a situation because he has no way to get back and forth to the Village and has to purchase a vehicle. Mr. Fellman is on vacation this week however. She requested personnel for Executive Session.

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- Trustee Ponio thanked Trustee Verciglio for putting a copy of the agreement/contract for contractors with regard to prevailing wage. He stated that this was a good start. He thanked him for doing that. Attorney Puma stated that this contract would be for all contractors.

Items from the Mayor

- Mayor Hyde reported that Wolfgang Neumeier has done extensive work on the light at Westridge Drive out to Route 176. He worked on the timing of the light and found that it was an electrical problem. It has been fixed. The Board thanked Mr. Neumeier.
- ComEd is giving monies back to Island Lake residents. The refund will go to those with electric heat.
- Mayor Hyde explained the "Low Share" program with ComEd that the Village will be involved in. It has to do with reduced power in the case of an emergency.

Willie Kootstra reported to the Board on the design of the water tower. They met last week regarding the water tower and the Mayor was invited to attend. This is a preliminary plan and they held an in-staff meeting. 2 drawings were presented and passed out to the Board. The alternate plan, moves the water tower to the north about 320 feet. This will include the water tower and treatment facility. Normal procedure has taken place for a project this size. The property to the north has the same elevation and is contiguous to the first piece. The original drawing was done in pencil and is in no way in a final form. Future growth has been seriously considered when designing this water tower. One item that came into consideration was the ability to easily get equipment in and out of this area. Preliminary approval was received from ComEd already. Mr. Kootstra said that there was never a final decision on where exactly this water tower was to go. The developer has been contacted and he will allow the property line to be moved. He is asking for several inspections though. Engineering needs to finalize the plan once the Board makes the decision to move forward. Trustee Saville stated that this plan makes it more conducive to getting trucks in and out with ease. Plus, this will hopefully make for good relations. Trustee Ponio asked if this then is better for the Village's access and Mr. Kootstra said that the radius will be increased and it will allow for easier access and for more parking too. Mayor Hyde asked the Board Members if they had any issues with the alternate plan for the movement of the water tower further north. Mayor Hyde asked then, with the Boards consent, to move forward with the engineer and the alternate site has been looked at and concurred with. Mayor Hyde said the Board is fully aware of what is going on with the water tower. Mr. Kootstra said the plan presented, that it's obvious that it has been preliminary up to this point.

Motion by Trustee Garling, properly seconded, to adjourn to Executive Session for land sale and personnel. All in favor.

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Motion by Trustee Herrmann, properly seconded to come out of Executive Session and return to the committee meeting. All in favor.

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Action on Executive Session items

Motion by Trustee Saville, properly seconded to realign Public Works and approval to eliminate the Foreman positions in Public Works.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Sadoski, Saville and Verciglio

NAYS: None

ABSENT: None

ABSTAIN: Trustee Herrmann and Ponio

Motion was declared carried.

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Motion by Trustee Saville, properly seconded to promote Debby Balke to the Assistant to the Public Works Director with an increase of 50 cents per hour starting at the next payroll.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried.

Motion by Trustee Saville, properly seconded to proceed to arbitration on the Public Works grievance that is pending.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Ponio and Saville and Mayor Hyde
NAYS: None
ABSENT: None
ABSTAIN: Trustees Herrmann, Verciglio and Sadoski*

Motion was declared carried.

Motion by Trustee Garling, properly seconded to adjourn the committee meeting. Being that no further business was discussed, the meeting adjourned at 11:42 pm. All in favor.

Christine Kaczmarek, Village Clerk