

MINUTES OF A REGULAR MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 9th DAY OF NOVEMBER 2006

CALL TO ORDER Mayor Thomas P. Hyde called the meeting to order at 7:35 pm. Those present stood and pledged allegiance to the flag.

ROLL CALL Roll call indicated the following present: Trustees Herrmann, Huff, Schmidt and Stiller. Absent: Trustees Becker and Guido.

Also in attendance was: Village Attorney Scott Puma of Ancel, Glink; Kevin Sutherland, Baxter & Woodman Engineers; Police Chief John Fellmann; Willie Kootstra, Public Works; Frank DeSort, Building Department; Captain Joseph Arrizzi, Wauconda Fire Department; Bob Carpenter, Lake Management; and Connie Mascillino, EMA Director.

Roll Call

Pledge to the Flag

Approval of Minutes – October 5, 2006, October 12, 2006 and October 26, 2006

Motion by Trustee Stiller, properly seconded to approve the meeting minutes from October 5, 2006, October 12, 2006 and October 26, 2006

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Huff, Schmidt and Stiller

NAYS: None

ABSENT: Trustees Becker and Guido

ABSTAIN: None

Motion was declared carried.

COMMITTEE REPORTS

1. BUILDING, ZONING AND ORDINANCE

Trustee Herrmann read the building report for the month of October: Total building permit fees \$32,774.70, total water connection fees \$7,416.00 and total permit fees \$40,190.00. There were 55 permits issued. Total receipts for electrical compliance inspections \$700.00, Ordinance Violations received \$70.00. Total fees for the month of October collected were: \$40,960.00. Total permits issued YTD: 501 and Total fees collected YTD: \$463,460.00.

Motion by Trustee Huff, properly seconded to approve the BUILDING, ZONING AND ORDINANCE report as presented by Trustee Herrmann. Upon voice vote, motion was unanimously declared carried.

2. FINANCE AND ADMINISTRATIVE

Trustee Huff read the Finance and Administration report for the month of October: 16 residents moved out and into the Village in October. Garbage bills have been sent out and are due November 29th. 8 red tags posted for water shut offs; however, all have paid. 25 residents have garbage pick up suspended for non-payment and Section A water bills were due and late notices have been sent out. John met with representatives for ICOPS on police union negotiations.

Motion by Trustee Stiller, properly seconded to approve the FINANCE AND ADMINISTRATIVE report as presented by Trustee Huff. Upon voice vote, motion was unanimously declared carried.

3. POLICE AND PUBLIC SAFETY

Chief John Fellmann summarized the POLICE AND PUBLIC SAFETY activity report for the month of October: 979 calls for service, 48 criminal offenses, 19 criminal arrests, 71 ordinance violations, 2 ordinance arrests, 136 traffic citations and 19 accidents reported. Lake County courts collected \$3,180.00. McHenry County courts collected amount is unable to be reported on this evening due to Financial Director being on vacation and unable to provide figures. Chief Fellmann mentioned that Baxter & Woodman updated the boundary map which helped with putting together the program with CTY. The database for CTY is being working on.

Motion by Trustee Huff, properly seconded to approve the POLICE AND PUBLIC SAFETY report as presented by Chief Fellmann. Upon voice vote, motion was unanimously declared carried.

4. PARKS, RECREATION AND EDUCATION

Trustee Schmidt presented the report for the month of October: Parks and Recreation: 228 enrollees, Trunk or Treat was not as well attended this year and will be reviewed, profit for Trunk or Treat was -\$147.28. Revenue \$54,578.00, expenses \$48,000.00 with a total + of \$6,578.00. Club has a total of 66 students, revenue \$84,089.00, expenses \$77,602.00 with a +\$6,487.00. The Winter/Spring Guide is being worked on along with new programs are being looked into. Department is also looking at surrounding area prices for similar classes and conducting a comparison. Craft Faire is November 18th and 19th from 10 am to 4 pm. Halloween Lighting Contest has 6 applicants and the winners were: Richard Jackowski who won 2 Blackhawk tickets, Susie Marion who won Cuneo entrance tickets and Connie Campbell who won Cuneo entrance tickets also. Creative Playtime: 142 enrollees with 34 openings, Assistant Chief Glade from the Wauconda Fire Department will be here Monday and Tuesday to share Fire Safety songs with the children, Fall Candle Fundraiser ends on November 17th and the candles will be delivered he week of December 5th and Creative Playtime would like to thank the Village Departments for the trick or treat candy and allowing them to parade through.

Motion by Trustee Huff, properly seconded to approve the PARKS, RECREATION AND EDUCATION reports as presented by Trustee Schmidt. Upon voice vote, motion was unanimously declared carried.

5. PUBLIC WORKS

Trustee Stiller summarized the Public Works report for the month of October: Plow equipment and vehicles checked and prepared for the upcoming season, 19 tons of asphalt patching on Lakeview, Carriage Hill as well as pot hole repairs throughout the Village including Burnett, Briar Court and Water Edge, curb repairs completed on Portsmouth Drive and Shooting Star Court, provided assistance to IDOT with an unknown material spill on Rt. 176, street light maintenance continue by Public Works and ComEd, ditching project completed on Highwood Drive by Dowell Road and the salt shed is full and ready for the start of winter. All the "no wake" buoys have been removed from the lake, Grek Park's flag pole was replaced and electric service should be reinstated by ComEd, a special thank you to Wauconda Fire Department for once again assisting Public Works with replacing light bulbs on Janet Drive water tower and graffiti was removed from playground equipment at Vista Park. Water Department: Completed 87 JULIE locates, all employees attended an electrical safety program at Barrington Fire Department, parts ordered for the Westridge Water Treatment Plant, preliminary results for softener media indicate that media is in excellent condition, Elmwood Enterprises has installed the entire 3,510 feet of 12" diameter water main, 12 hydrants and 6 water main values on Burnett Road. October Operating report: Total gallons pumped: 18.2 million with average gallons per day 588 thousand and peak day gallons 813 thousand.

Motion by Trustee Huff, properly seconded to approve the PUBLIC WORKS report as presented by Trustee Stiller. Upon voice vote, motion was unanimously declared carried.

6. ECONOMIC DEVELOPMENT

Trustee Herrmann tables the Economic Development report to the next meeting as Trustee Becker is not here this evening, properly seconded to table the ECONOMIC DEVELOPMENT report. Upon voice vote, motion was unanimously declared carried.

Mayor Hyde asked for an adjustment in tonight's meeting schedule. Chief Fellmann and two residents are to be presented with awards this evening. Motion by Trustee Stiller, properly seconded. Upon voice vote, motion was unanimously declared carried.

Chief Fellmann presented a Certificate of Appreciation to two residents of Island Lake, Mark Dungan and Colleen Gillen. They assisted the Police Department by reporting a burglary then kept an eye on the offenders. The suspects were successfully apprehended and all property was seized. Chief Fellmann thanked both of them for being proactive and for showing such good citizenship. Mayor Hyde also thanked Mr. Dungan and Ms. Gillen and commended the Neighborhood Watch Program.

Consent Agenda Items:

1 Items under the Consent Agenda are considered routine and/or non-controversial and will be approved by one motion. If anyone (board member, staff, or citizen) wishes to have a separate vote on any item, it will be pulled from the Consent Agenda and voted on separately.

- 1 1. Approve payment of bills

Motion by Trustee Stiller, properly seconded to approve the items in the Consent Agenda.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Huff, Schmidt and Stiller.
NAYS: None
ABSENT: Trustees Becker and Guido
ABSTAIN: None

Motion was declared carried.

1

1 Agenda Items:

1

1. Approval of lot size variance from 10,000 square feet to 7,260 square feet for Mark and Patricia Skiba located at 3420 Brierhill

Attorney Jim Kaiser as well as Ralph Schmidt from the engineering firm was also present. Mr. Kaiser provided each Board Members with a soil test report on the property. Mr. Schmidt stated that there was an issue with the size of the house. The house was pushed back at the driveway to meet the 20%. Drainage was also an issue. Proposed development would shed off the water to the NW. 2 plans were submitted to the Board. The second plan calls for a swale on the west side and along the backyard by the right corner. 2 ditches would be placed there to capture the water.

Trustee Huff stated that the lot is being requested to go from 10,000 square feet to 7,000 square feet and wondered if the Skiba's had looked into adjacent property owners to see the average lot size and if this would fit well into that area. Mrs. Skiba replied that on both sides the lots are almost the same as this lot. The lot to the right is even less. Attorney Kaiser stated that the Village ordinance changed after the Skiba's had already purchased the lot. It was a legally buildable lot when they purchased it. Mayor Hyde mentioned that this is the second or third time the Skiba's have come before the Board. He said that it's a nice lot to place a house on as well as has very nice large trees on the lot. Mayor Hyde looked at the lot today. He passed out previous pictures taken of the lot and property behind this lot. The water issues in this particular area are very obvious in the pictures. Mr. Schmidt replied that they tried to redirect the water and didn't put proper swale in. He stated that they want to do this project and make sure it's done right so this doesn't happen. Mayor Hyde read verbiage from Baxter & Woodman/Kevin Sutherland's review letter to the Board of this lot. Mr. Sutherland said he is more comfortable this evening. He does not like the swale though and prefers having a pipe in the backyard for drainage. He would rather see a pipe layed and buried in gravel and feels that now this situation may be more workable if they can all agree upon a drainage plan. Mr. Sutherland said the street was addressed tonight properly. One plan

had a burm in the corner but Mr. Sutherland feels that this can also be a barrier too. He would still rather see a pipe across the backyard, in low spot, as well as this route would not impact the trees on the lot. Mr. Sutherland suggested though that covenants be drawn up where the owner is responsible for maintaining the pipe. Trustee Stiller brought up the flood level of the lake and stated that there is a difference of about a foot and a half and questioned with the pitch, if there is enough depth of soil to get to the front. Mr. Sutherland replied that there is not enough of a pitch to do a traditional stormwater drain. Trustee Stiller asked if the drainage plan would impact the neighbors. Mr. Sutherland said that the neighbor is actually higher than the lot to the NW. Next, Trustee Stiller questioned if Mr. Sutherland had an opportunity to review the soil report. Mr. Sutherland replied that he had not and that the Village really has a building issue. He suggested the soil report be done as the area has a long history of bad soils. More efforts are necessary in order to build a house here due to the soil. Trustee Herrmann asked Frank DeSort for his opinion. Mr. DeSort replied that the responsibility will fall to whoever wants to build the house. He said it will ultimately go to himself and Mr. Kootstra. He strongly recommended that the Board have the t's crossed and i's dotted before approving this variance. Attorney asked Mrs. Skiba and she replied that the lot will most likely go up for sale. Mr. DeSort suggested having everything done upfront before approving. Attorney Kaiser stated that a lot is more marketable if it's also buildable. Trustee Herrmann agreed but said with restrictions though. Mayor Hyde asked the Board if they would rather wait and vote on this at another meeting once everything is prepared and in writing. Attorney Kaiser asked Attorney Puma if he and the Board would be more comfortable with a deed restriction and attorney Puma replied yes. Attorney Puma commented that the plan should have Mr. Sutherland's comments in there as well as possibly a covenant stating that there can be no basement. Attorney Puma also asked the Board if they would like to consider charging back the property owners for the additional costs for engineering and legal. Trustee Stiller mentioned that he also suggested an easement. Attorney Puma replied that could be in the deed restriction as well. He said that he does not want to delay the process but would prefer it everything was in writing before a vote is taken. Mayor Hyde got the consensus of the Board next. Trustee Stiller is comfortable with the items discussed this evening being that they are clarified and in writing within the ordinance. Trustee Schmidt is undecided. Trustee Herrmann is concerned with the entire concept especially for the residents and no even knowing who the buyer is. She added that the building department will have a cost factor with such a project as it will have to be closely watched. Mr. DeSort replied that the Village will be okay but only if the person purchasing the lot is completely aware of what needs to be done. He added that if engineering approves, it will be okay. Trustee Huff is pondering if it's feasible to build a house on this lot. He said it seems like a site plan has to be approved and should go through engineering just like everyone else would have to.

Motion by Trustee Stiller, properly seconded to table the Skiba variance to the November 30th meeting.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Huff, Schmidt and Stiller.

NAYS: None

ABSENT: Trustees Becker and Guido

ABSTAIN: None

Motion was declared carried.

Trustee Huff asked the Skiba's to also come back with the average sizes of the lots in the area.

- 2. Approval of partial payment in the amount of 22,402.70 to Municipal Well and Pump for work completed for Walnut Glen subdivision*

Motion by Trustee Stiller, properly seconded to approve the partial payment in the amount of 22,402.70 to Municipal Well and Pump for work completed for Walnut Glen subdivision.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Huff, Schmidt and Stiller.

NAYS: None

ABSENT: Trustees Becker and Guido

ABSTAIN: None

Motion was declared carried.

3. *Approval of payment in the amount of \$109,278.90 to Elmwood Enterprises, Inc. for the Burnett Road water main improvement project*

Motion by Trustee Stiller, properly seconded to approve the payment in the amount of \$109,278.90 to Elmwood Enterprises, Inc. for the Burnett Road water main improvement project

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann, Huff, Schmidt and Stiller.
NAYS: None
ABSENT: Trustees Becker and Guido
ABSTAIN: None*

Motion was declared carried.

4. *Approval of the Guru Nanak Sikh Mission of America to hook up to the Island Lake Municipal Water system*

The Sikh Mission is in the SSA so no hook up fee is required. Trustee Herrmann questioned why approval was needed then and Trustee Stiller explained that any approval, after the fact, is required. Mayor Hyde stated that it's a good practice to acknowledge this matter. Trustee Huff replied that the Board approves all water projects. Attorney Puma said that if they are in the SSA, they should be paying. SSA is separate and they are not exempt even though they are a Church. He recommended that someone check with the tax collector to make sure that they are paying into the SSA.

Motion by Trustee Stiller, properly seconded to approve the Guru Nanak Sikh Mission of America to hook up to the Island Lake Municipal Water system

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann, Huff, Schmidt and Stiller.
NAYS: None
ABSENT: Trustees Becker and Guido
ABSTAIN: None*

Motion was declared carried.

5. *Approval of the Guru Nanak Sikh Mission of America to continue to use their well for outdoor watering purposes only*

Trustee Stiller verified with Neal DeYoung regarding having both, being hooked up to the municipal water system as well as keeping their well for outdoor watering purposes. Mr. DeYoung was concerned with enforcing a watering ban when they have their own well. Trustee Herrmann asked for Mr. DeSorts opinion. Mr. DeSort stated that he feels that this is not a good situation. He said that the IEPA and Health Department both have restrictions and this should be looked into further. He added that the Village makes residents abandon wells. He is concerned about setting precedence. Mr. DeSort said that in Wauconda, they require people to abandon their wells. Trustee Schmidt commented that it seems logical to have one or the other. Mr. Sutherland added that he has seen this done in other communities; however, only for potable water. He and Mr. DeYoung have spoken and Mr. Sutherland feels that this would be okay if they only use the well for outdoor watering purposes. Mayor Hyde commented that CVRV and St. John's Church asked for the same thing in the past. Trustee Herrmann questioned if this is the kind of precedence that the Board wants to set. Trustee Huff said that the well is the issue and if the Village and Board want private wells. He said the ordinance is written in a particular way for a reason.

Motion by Trustee Stiller, properly seconded to approve the Guru Nanak Sikh Mission of America to use their well for outdoor watering purposes only.

Board Meeting, November 9, 2006 Page 6 of 8

Upon roll call, Trustees voted as follows:

*AYES: Trustee Stiller
NAYS: Trustees Herrmann, Huff and Schmidt
ABSENT: Trustees Becker and Guido
ABSTAIN: None*

Motion was denied.

6. Approval of AED Policy

Attorney Puma stated that he worked with Chief Fellmann and that the policy provides for AEDs in the Village as well as in the squad cars. EMA Coordinator, Connie, also worked on this policy.

Motion by Trustee Huff, properly seconded to approve the AED Policy.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann, Huff, Schmidt and Stiller.
NAYS: None
ABSENT: Trustees Becker and Guido
ABSTAIN: None*

Motion was declared carried.

7. Approval of agreement between the Village of Island Lake and Illinois Department of Natural Resources regarding the Grand Illinois Trail/Island Lake Segment

Trustee Schmidt stated that the Village opted to own the property and put an indemnification in there as well as insurance verbiage. Attorney Puma stated that the IDNR attorney did not get back to him yet on these changes. There was question whether to approve this subject to final attorney review as well as indemnification and insurance verbiage in the contract or if the Village Board would like to table the matter until everything is in writing.

Motion by Trustee Schmidt, properly seconded to table the approval of the agreement between the Village of Island Lake and Illinois Department of Natural Resources regarding the Grand Illinois Trail/Island Lake Segment to the November 30th meeting.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Herrmann, Huff, Schmidt and Stiller.
NAYS: None
ABSENT: Trustees Becker and Guido
ABSTAIN: None*

Motion was declared carried.

Items from the Clerk, Department Heads and Trustees

- Clerk Kaczmarek stated that the deadline for newsletter articles was November 6th. She is working on the completion of the newsletter and mentioned that it should be ready at the end of the month or very beginning of December.*

- Trustee Schmidt mentioned that he has a conference call Friday morning with Trustee Guido and Mark Janeck of Circle Land to go over the Hillside Estates park and the issues of the park impact fees.
- Trustee Schmidt stated that the employee Holiday party is being worked on. The Board had an idea of inviting all the Village businesses to the Holiday party; however, due to not having a lot of time to put together the event, it is being suggested that this be placed on hold and look at next year inviting all the businesses. There is also concern with gathering a complete list so that everyone is invited which will take a significant amount of time.
- Trustee Huff said that John Little was on vacation this week. He will be getting together with Mr. Little on Monday.

Board Meeting, November 9, 2006 Page 7 of 8

- Trustee Stiller said that Neal DeYoung has submitted the application for the 2007 CDBG to Lake County. Estimate costs are about \$150,000.
- Trustee Stiller stated that he has been harping lately on the fact that the Village has a cat problem. A month ago, a 9 year old boy, who was playing in his own yard, was approached by a stray cat and bitten. He has since undergone 13 rabies shots as the records for the cat are not clear. Trustee Stiller said that stray cats are a bigger problem than just a few running around the original part of town. He quoted the Village ordinance that the Police Department is responsible for removal of stray pets, if an animal is not licensed and/or collared. Chief Fellmann stated that he has actually been working on this and is speaking with Mr. DeSort regarding this matter as well. They were going to come to the Board with an idea of putting in place a position or environment officer for the Village where he/she would be tasked with a variety of duties such as animal control, etc. Trustee Stiller stated that this is a problem within the Village and that the Village needs to react. The Board agreed to have Chief Fellmann and Mr. DeSort work on the concept of an environment officer and report back to the Board with a plan.
- Mr. Sutherland stated that the results from the water from the test wells have not come back yet. He will report back to the Board as soon as he has the results from the tests.
- Mr. Sutherland brought up the letter that he mailed to the Board Members regarding his moving to a different Baxter & Woodman office. He will now be a full time municipal engineer. Another engineer will conduct the initial reviews; however, Mr. Sutherland will oversee entire projects and will ultimately have the final say.
- Chief Fellmann reported that the Police Department server crashed. They are temporarily running the system but it is very limited. The server will need to be replaced. Mayor Hyde said that this is a necessity and mentioned that the funds will need to be made available for this matter.
- Chief Fellmann said that he passed an email along to the Board Members today regarding a demonstration this weekend possibly.
- Captain Arrizzi attended and took pictures at last weeks Touch a Truck event. He said it was very well attended and that there were about 200 to 300 people in attendance.
- Mr. Kootstra reported that there will be a special flag ceremony with the flag being flown from Iraq on Saturday, November 11th at 9 am.
- Mr. Kootstra said that he is working on next years budget numbers, what projects to work on, etc. He asked the Board to please let him know if they have any idea of projects they would like to see Public Works work on.
- Mr. DeSort commented that the well issue with the Sikh Mission should be looked at closely. He said that CVRV was given permission for a well only to be used for their water feature on the site. He added that the Village makes it mandatory for residents to abandon their wells. He said that this needs to be a level playing field
- Ms. Mascillino mentioned that it is \$25 to register the Village's AED machines with Condell.
- Ms. Mascillino reported that EMA does not have any meetings in November and December.
- Ms. Mascillino commented that the siren is being built and still being worked on.
- The Historical Society received several donations from NMWRD and Larry Harris' son. Island Lake Grade School memorabilia was donated.
- Mr. Carpenter asked if there was a way for the Board and the Clerk to consider changing the deadline dates for the Village newsletter to January, April, July and December to better accommodate letting the residents know about upcoming events, the dates and times. Clerk Kaczmarek as well as the Board thought this was a good idea and it will be looked into.

Items from the Mayor

- Mayor Hyde asked for the Board approval to purchase several holiday lighting and decorating items for the Village. Such items as a sign that says Seasons Greetings instead of just Greetings. He would like to see this improve and expand each year a little bit as well as purchase items at more advantageous times in order to save money. Mayor Hyde would also like the Board to look at the Village sign for improvements and accommodating all the attachment signs.
- Mayor Hyde said that Red Kettle Days are November 17th through November 23rd. He is asking for participation from the Board Members. This event supports the Salvation Army which in turn assists residents in need.
- Mayor Hyde provided Trustee Herrmann with several ordinances to be reviewed. He has also sent a memo to the Plan Commission and Zoning Board about considerations for adding a 15,000 square foot lot to better accommodate those in the middle.

- *The Village website has an area on it which allows people to get in contact with family military members.*

Board Meeting, November 9, 2006 Page 8 of 8

- *Mayor Hyde announced that his article for the newsletter this times focuses on an update of growth, commercial growth, in the Village. He also put at the end of his article a request for assistance on those interested in working on a Downtown Improvement Program committee.*
- *Mayor Hyde reported that the burnt house on Revere has been demolished.*

Motion by Trustee Stiller, properly seconded to open the meeting to the floor. Upon voice vote, motion was unanimously declared carried.

Gregorz Huffman, 419 E. Burnett Road: Mr. Huffman stated that he received a warning from a Village Officer and he would like to discuss this matter. The concern is over a fence. Mr. DeSort stated that Officer Gary Jablonski issued the warning and that he has to speak with Officer Jablonski to get all the details. Mr. DeSort stated that he would speak with Officer Jablonski and get back to Mr. Huffman.

Tony Thiesman, Island Lake: Mr. Thiesman stated that his son is the one that was bitten by the stray cat. McHenry County does not require rabies shots; however, Lake County does. Dogs have to have rabies shots though. Mr. Thiesman stated that this matter is still under investigation as the cat was found to not be a stray, have an owner; however, the paperwork is not very clear and does not necessarily for sure state that rabies shots were completed on this cat. The veterinarian who supposedly gave the shots is being contacted.

Motion by Trustee Herrmann, properly seconded to bring the meeting back to the board. Upon voice vote motion was unanimously carried.

Mayor Hyde called Executive Session this evening for contract negotiations and sale/lease of property.

9:42 pm Motion by Trustee Herrmann, properly seconded to come out of Executive Session and return to the Board Meeting.

Being that no further business was discussed, motion by Trustee Huff, properly seconded to adjourn the Board meeting. All in favor.

Meeting was adjourned at 9:42 pm.

Clerk Christy Kaczmarek