

**MINUTES OF A REGULAR MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 8th DAY OF MARCH 2007**

**CALL TO ORDER** Mayor Thomas P. Hyde called the meeting to order at 7:30 pm. Those present stood and pledged allegiance to the flag.

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

Also in attendance was: Village Attorney Scott Puma; Kevin Sutherland, Baxter & Woodman Engineers; Police Chief John Fellmann; Willie Kootstra, Public Works; Captain Joseph Arrizzi, Wauconda Fire Department; and Connie Mascillino, EMA Director.

Approval of Minutes – February 8, 2007, February 22, 2007 and release of the portion of Executive Session Meeting minutes from December 14, 2007, December 28, 2007 and January 4, 2007. Trustee Becker had a correction to the minutes.

Motion by Trustee Herrmann, properly seconded to approve the meeting minutes from February 8, 2007, February 22, 2007 and release of the portion of Executive Session Meeting minutes from December 14, 2007, December 28, 2007 and January 4, 2007 including the suggested change by Trustee Becker.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

**COMMITTEE REPORTS**

**1. BUILDING, ZONING AND ORDINANCE**

Trustee Herrmann read the building report for the month of January: Total building permit fees \$31,034.50, total water connection fees \$13,612.00 and total permit fees \$44,646.50. There were 20 permits issued. Total receipts for electrical compliance inspections \$400.00, Ordinance Violations received \$0.00. Total fees for February 2007: \$45,046.50.

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 February: 11 move outs in February, 37 residents have their garbage service suspended due to non payment, section B water bills were sent out and due on March 29<sup>th</sup>, late water notices were sent out to Section A residents, 19 red tags posted for water shut off, John Little has been working on the budget and meet with department heads regarding the budget and sent over 500 letters to resident hat have no vehicle stickers. Trustee Huff stated that the Finance Committee has held 2 budget meetings thus far.

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 February: Officer John Janecke conducted the semi annual Tobacco Compliance Program check and again found that all retailers in the community are in compliance with state statutes as they relate tobacco sales to minors. 900 calls for service, 26 criminal offenses, 10 criminal arrests, 72 ordinance violations, 0 ordinance arrests, 159 traffic citations issued and 21 accidents reported. Report copies collected \$77.50, Lake County courts collected \$1,910.47 and McHenry County courts collected \$5,955.03. Miscellaneous collected \$3,297.79 and total collected \$13,267.45.

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 February: Parks and Recreation: 197 enrollees. Revenue \$74,134.95, expenses \$71,156.58 with a total + of \$2,978.37. Club has a total of 65 students, revenue \$128,597.68, expenses \$113,434.43 with a +\$15,163.25. The Recreation Department is working with the Seniors on the Easter Bash signs, etc., starting summer camp registrations, 07-08 budget meeting is this coming Tuesday, Mother/Son Bowling event scheduled for April 28<sup>th</sup>, beginning preparations for the Street Dance which will be July 14<sup>th</sup>, working on the summer recreation guide, working on dance recital preparations and the Leprechaun lunch. Creative Playtime: 144 enrollees with 32 openings. Registration began for the 07-08 school year and 97 are enrolled thus far. The 4 year old classes held parent/teacher conferences February 26<sup>th</sup> and 27<sup>th</sup> and the 2 year old classes had their portraits taken on Wed., February 28<sup>th</sup>. The teachers and classes are all moving into curriculum that centers around St. Patrick's Day and classes are also working on health and nutrition. The staff was excited when the Pioneer Press visited them during all the excitement over the Super Bowl. Total revenue: \$75,334.00

Motion by Trustee Herrmann, 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 February: Public Works reported that salt usage is under budget by approximately \$12,200. 1212 tons was ordered and received. Several roadways have shown excessive wear and tear due to the recent harsh weather. There are several localized areas on Burnett Road. Cold patch is being applied until more permanent repairs can be contemplated. Prairie Woods developer may request the removal of the gate located near the cul-de-sac of Pine Terrace. Damage to the gate post occurred during on the recent snowfalls and there are no occupied residents within this section. Matthews Middle School was contacted, the site superintendent, to correct any erosion control problems prior to the most recent rainfall. As approved by the Board, the brush on the Big Island was burned and trees were trimmed. The Fire Department was notified prior to the event. Water Department: Second leg of 1,924 lineal feet of water main for the Walnut Glen subdivision was successfully pressure tested on 2/28/07. Chlorination and bacteriological analysis must be completed before the main can be placed into service. Repaired a water main break on a 6" main near Beach Street by Island Foods east parking lot entrance. Responded to several post billing high water use inquiries and delivered several "red tags" for delinquent water payments. Lowered the water level in the Fox River Shores water tower to 50% to allow Nextel/Sprint to complete penetrations for piping in the base cone of the tank. February Operating report: Total gallons pumped: 16.3 million with average gallons per day 582 thousand and peak day gallons 821 thousand and total number of services 2,860.

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 Becker reported that he did not receive any updated information from Lake County Partners so he is looking into this matter. They apparently changed to reporting this quarterly instead. In the future, these will continue to be forwarded to the Clerk.

Motion by Trustee Stiller, properly seconded to approve the ECONOMIC DEVELOPMENT report as presented by Trustee Becker. Upon voice vote, motion was unanimously declared carried.

**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
- 1 2. Approval of Salvation Army Donut Days June 1<sup>st</sup> and 2<sup>nd</sup>
- 1 3. Approval of Salvation Army "Red Kettle" Days November 16<sup>th</sup> to December 24<sup>th</sup>
- 1 4. Approval for the Lioness Club to use the fields adjacent to Village Hall, have police personnel for traffic control and \$100 donation by the Village of Island Lake for the Annual Al Schmidt Easter Egg Hunt
- 1 5. Approval to waive the Garage Sale Permits for the Village Wide Garage Sale to be held on June 22, 23, & 24.

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

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

**Agenda**

1. Presentation by Shiner Group/Walgreens Drive Thru

Steve Schwartz of Shiner Group thanked the Board and then introduced Justin who is representing Atwell-Hicks this evening. Mr. Schwartz stated that this is 19 and a half acre parcel along Route 176 and River Road and the proposed Walgreens is approximately 14,820 square feet. Phase 1, which is the proposed Walgreens, will take up about 2.3 acres of this parcel. Shiner Group is requesting a special use for a drive thru associated with this Walgreens and a height variance for a pylon sign that exceeds the maximum height by 13' as well as pylon signage that exceeds allowable signage by 81 square feet due to tenant primary panel and an LED reader board. They are requesting two building sign variances of 24 square feet for the south and 9 square feet for the east elevation. Shiner Group is proposing along with this development. As part of this over all development, in conjunction with IDOT, Shiner Group will also be installing significant improvements along 176 such as: adding and enhancing the turn lane, lengthening and improving turn lanes, etc. There will be 3 points of access coming out of this site. There will be a road extension in the rear of the site, an extended service road, to and through River Road. Overall there will be 80 parking spaces available. The right in and right out will be relocated. Phase 1 will be tying also into an existing detention basin. In back, there will be trash enclosures for trash containers. They will be screened as well as there will be a closed trash compact area. As for the architecture, modular brick will be used which will be beige/orange in color and synthetic limestone along with metal seamed canopies. The pylon sign is 25 feet, which is 13 feet over, with an LED. The drive thru is requested for convenience of the customers. The drive thru will assist the elderly, those that are sick, etc. The Walgreens store initially will operate from 8 am to 10 pm and most likely shorter hours on Sundays.

The operating times will depend upon the demand. At this time, 24 hours is not needed, and will depend upon in the future on demands. Truck deliveries will take place 2 to 3 times a week. Mr. Schwartz stated that the Zoning Board of Appeals unanimously approved the drive thru and pylon sign variances. Trustee Stiller stated that the sign variance being requested is double the height of the current sign ordinance and asked what sign McDonald's has. Mr. Schwartz stated that their sign is 31 feet at the peak. Citgo and White Hen's signs are about 25 feet + high. Island Foods and True Value have similar heights for their signs as well. Trustee Stiller asked about a sidewalk throughout this development and if it's run eventually completely through this development. Mr. Schwartz replied that yes, as the development is finished, the sidewalk will continue to be extended. Parking spaces was again asked about and Mr. Schwartz said that there will be about 84 + spaces. The requirement from Walgreens is 74. Mr. Schwartz said that they would like to begin building in May and hopefully be ready to be open in October of this year. Trustee Stiller asked about signalization and crosswalks. Mr. Schwartz replied that yes, both will be part of the overall improvement plan. Temporary signals will eventually turn into permanent one's as this develops. Trustee Stiller asked about the lighting in the parking lot. Mr. Schwartz said that they will fully comply with the Village ordinances and that the lights will be driven down. Mayor Hyde stated that himself along with Mr. Schwartz have met with IDOT. Crosswalks and sidewalks were stated to be a vital piece of this development. Stripping will be there to the school, for the turn lanes, etc. The road improvement plan is being fully reviewed with IDOT especially, the improvements to 176. Trustee Stiller inquired if this will connect to Newbury and Mr. Schwartz replied that it will not connect. Mayor Hyde stated that this is a positive development and that it's been 3 years since there has been new development in Island Lake. The last two were Crystal Valley RV and Young Scholars. Trustee Becker asked about the sidewalk on the East side and if it'll connect to Veteran's Park. Mr. Schwartz replied that that is part of the plan. Trustee Becker questioned the Walgreens deliveries that will take place. Mr. Schwartz went over what size approximately these deliveries will be – WB55, 55 foot trailers, some could be 650, etc. Trustee Becker expressed concern over the ability to turn a truck around while in the parking lot. Mr. Schwartz stated that this is carefully gone over because they need those trucks to get in and out with ease. Trustee Becker stated that he is not in favor of the 24 foot sign and that the ordinance was put into place in the Village to get rid of these high signs. He feels 13 feet is plenty high. Mr. Schwartz stated that they are asking for this sign variance for maximum exposure and readability as people are coming down the various roads due to speed of movement, the set back of the building, the grade, the curves in the road, etc. They are looking for maximum readability. Trustee Becker stated though that Walgreens building has a certain branding to it already and one can see that it's a Walgreens. He would like to see a smaller as well as a shorter sign. Trustee Schmidt stated that he himself drives by plenty of Walgreens every day and some signs are difficult to locate. Some you don't see due to the rate of speed you may be driving at. Trustee Schmidt is not for or against the sign of this type but he has asked if there are similar signs, he does like monument signs, but he would like to go and see similar signs for reference. Mr. Schwartz stated that signs are extremely important to Walgreens and they like to be consistent with others in the area. Trustee Herrmann stated that she too is more favorable of monument signs and she agrees with Trustee Schmidt. Trustee Schmidt said he can appreciate though wanting a maximum height sign.

Motion by Trustee Stiller, properly seconded to open the meeting up to the floor. All in favor.

John Ponio, 212 Island Drive: Mr. Ponio questioned the signalization and how it relates to the rest of the development especially with regard to turn ins, turn outs, etc., especially, with regard to the already heavy traffic on 176. He questioned why the building isn't being pushed back more possibly to allow for more room for roads, turn lanes, etc. Mr. Schwartz replied that their firm has built many, many Walgreens and that this is a well planned design. IDOT has thoroughly studied this development and the roads. This is designed to take cars to, through and out of the developed commercial area. The signalized intersection moves cars to, through and across. Mr. Ponio inquired about the exits and Mr. Schwartz explained that one can exist by using the lights, onto River Road, etc. There are 3 lanes exiting the commercial development and one portion is 4 lanes wide at 176. It is quite wide to accommodate cars as well as trucks.

Rich Garling, 3610 Greenwich Lane: Mr. Garling reiterated that then people can turn out of Walgreens, go onto the access road that there now and utilize the turn lane on 176. Mr. Schwartz said they can exit north. Mr. Garling said that they then can take advantage of that. Mr. Garling asked if there was a way to possibly design this so that they could not turn right onto that access road. Mr. Schwartz said currently there is a temporary easement for the road and ultimately Phase 2 will provide the drive then to and through there also. Mr. Garling said so that if he turns into Walgreens, off of 176, he can take a right or left hand turn into Walgreens. Mr. Schwartz replied that one can leave using 176 or

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turn and head towards McDonalds and use the access road. The right hand turn lane can be used then to turn onto 176 and avoid the light all together. This was agreed to. Mayor Hyde stated that IDOT has looked at this very closely. He feels that the access road will help to tie the development area all together and assist in alleviating the traffic congestion. The flow of traffic is to look at it further in. It's designed to bring the traffic in and into the development and off of the busy roads. Mr. Garling said that people may tend to avoid that light if they can though.

Wayne Willis, 30751 N. Fisher Road: Mr. Willis said that they too were faced with this same type of proposal in their Village with regard to signage. He said that his feeling was the same as this Village's; however, he took a vacation and pulled into a strange town after hours of driving and suddenly realized how wonderful signage can be. He said that ground type signage is often times difficult to place when trying to design a site. Because of this, he has become more of a fan of pole type signage plus, you can see children running around more easily, etc.

Tom Kaczmarek, 703 Fox Trail: Mr. Kaczmarek asked about the length of the turn lane coming off of 176. Mr. Schwartz

Mayor Hyde explained that IDOT has the final approval on the roadways. They have spent 8 to 10 months already working as well as looking at this project. Their engineers have been closely studying this also. Mayor Hyde stated that overall, this will be an improvement and positive for Route 176.

Casey Martin stood up and comment that isn't this a very similar situation anyway to the Walgreens that is located in Wauconda.

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

2. Approval of sign permit for Curves Food Drive - 4' x 8' sign to be displayed for 30 Days

Motion by Trustee Schmidt, properly seconded to approve the sign permit for Curves Food Drive - 4' x 8' sign to be displayed for 30 Days.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Huff, Schmidt and Stiller

NAYS: None

ABSENT: Trustees Guido

ABSTAIN: None

Motion was declared carried.

3. Approval of 532 - 07 Advocate Lake County Resolution

Motion by Trustee Stiller, properly seconded to approve 532 - 07 Advocate Lake County Resolution

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Huff, Schmidt and Stiller

NAYS: None

ABSENT: Trustees Guido

ABSTAIN: None

Motion was declared carried.

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4. Approval of IDOT Resolution 533 – 07

Motion by Trustee Stiller, properly seconded to approve IDOT Resolution 533 – 07.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Huff and Stiller

NAYS: Trustee Schmidt

ABSENT: Trustees Guido  
ABSTAIN: None

Motion was declared carried.

5. Approval of resolution 534-07 for the Lakewood Equestrian Center

Motion by Trustee Herrmann, properly seconded to approve resolution 534-07 for the Lakewood Equestrian Center.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

6. Discussion of New Water Facilities

Trustee Stiller explained that a couple of weeks ago Baxter & Woodman discussed with the Board a well, treatment center, tower, etc. He stated that the facility needs to be planned and constructed as there are a number of issues coming forward with new developments coming into Island Lake. The water supply for the Village is sufficient for now; however, as you get close to needed proper fire protection for the Village overall, the proposed Hillside Estates subdivision and the proposed Rodewald development, this situation changes. Trustee Stiller said that it is imperative to move forward with an agreement to work on this project. The proper permits need to be applied for and obtained with the state as well as this will allow the Village to stay on a planned schedule. Trustee Schmidt asked if the Board needs to know where the pump and elevated tank location will be in order to approve this. Trustee Stiller said the currently there is only 1 site available as the other subdivisions are only proposed and approved as of yet. They are not in the Village yet. Trustee Becker asked what the site would be and Trustee Stiller replied the site on the Walnut Glen property which is next to Neville Road. Kevin Sutherland did not have anything to add to this issue at this time unless someone has a question for him. Trustee Becker stated that he received in an email today from Mr. Bob Wargaski stating that apparently there was some talk in the past with Wauconda and Golden Oaks about putting the water tower in with Wauconda and Island Lake and he is curious why this was not brought forward as it could save both Village's a lot of money. Trustee Stiller said that's a good point. Trustee Becker replied that the costs could be shared and the Village would end up with the same water. He said that Mr. Wargaski also mentioned in this email that some of the relationships between Island Lake and Wauconda have been at a low and that this possibly could assist in improving the relationship. He said that this would be a good idea but would need to be carefully worked out. Kevin Sutherland stated that it's \$225 a feet for a 12 inch water main. He is not aware of how far the lines would have to be run so it's difficult to provide a quote at this time. Mr. Sutherland said it basically wipes out the cost savings unless there was a development in-between. He said that he has heard that some communities have connections between them but only for emergency purposes. Mr. Sutherland stated that it's complicated to connect two Villages and it has to be questioned if everything matches, do both Villages systems match, etc. Trustee Becker said that yes, it would have to looked into closely to see if it would work.

Motion by Trustee Schmidt, properly seconded to open the meeting to Mr. Bob Wargaski to speak about the email that he had sent to the Board earlier in the day. Resident Don Saville stated that Mr. Wargaski threatened to sue the Village at the last meeting and is wondering if this then appropriate. Mayor Hyde stated that he is limiting the discussion only to the water tower and that the Board will not reply.

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Mr. Wargaski stated that he learned that Golden Oaks had approached Wauconda and approach Island Lake also about possibly going into a combined water tower. He commented though that he is not privy to all the information. Mr. Wargaski stated that what he does know though is that this information was presented both to Wauconda and to Island Lake. When Mr. Wargaski spoke with Wauconda and asked if they would be putting in a water tower in the future, Wauconda replied that yes, next year, they will be looking at a water tower. Mr. Wargaski asked if Wauconda then would be interested in sharing a combined water tower with Island Lake. He said that Wauconda said yes, they would entertain that idea. Mr. Wargaski stated that this was coming from the Mayor of the Village as well as the Manager of the Village. Mr. Wargaski stated that there is also a strong partner inbetween the two Village's and that the water tower would then be placed on a piece of land to benefit everyone and everyone will be happy instead of having a water tower on top of my house being only 150 feet away. Trustee Stiller verified then that Mr. Wargaski had a conversation with the Mayor and the Manager of the Village of Wauconda and they both were interested. Mr. Wargaski replied that yes, they would entertain the idea of a combined water tower. Trustee Stiller asked if they are already in the process of putting in a water tower though. Mr. Wargaski replied that they said that they are going to have to put in a tower. Trustee Stiller questioned then that that it's

going to be placed on the Golden Oaks property. Mr. Wargaksi said that he is not privy to all that information. Trustee Stiller replied to Mr. Wargaski though that that's what he alluded to in his email to the Board earlier today. Mr. Wargaski said that what he is saying is that a year and a half ago Golden Oaks approached Tom Hyde and Wauconda about a combined water tower and that's what was said. When Mr. Wargaski went back to Wauconda six months ago and asked if they would still entertain this idea, they said yes. He saw them again two weeks ago and asked if they are still open to this and they said yes. Trustee Stiller replied that after he received Mr. Wargaski's email today, he called Jim Kirby at Golden Oaks. He read the email to Mr. Kirby. Mr. Kirby agreed that he did have a conversation with Mayor Hyde. He also said he had a conversation with Wauconda. Mr. Kirby told Trustee Stiller that the Village of Wauconda had actually approached Golden Oaks as the Village of Wauconda had received federal money and was in the process of putting in a water system that would assist the people that were outside the Village but impacted by the Wauconda dump. Mr. Wargaski agreed. Trustee Stiller continued and explained that their plan was to put a water tower at the corner of Case and Route 12 and they asked Jim Kirby if he would entertain that thought to work with them on that thought. Mr. Kirby told Trustee Stiller in their conversation today that he had told them that he did not like this idea and he offered to other selections. The whole conversation got Mr. Kirby thinking so he went to Mayor Hyde to see what he thought of a water system that would be in partnership with Wauconda. The Mayor did not give Mr. Kirby a response back according to Mr. Kirby. That offer, for a combined system with the Village of Wauconda, was never extended to Wauconda. There was no conversation. 2 other locations were talked about and a few weeks later, Mr. Kirby contacted Mayor Hyde and Mayor Hyde declined the offer. At this time, Wauconda still never received an opportunity to discuss this. Wauconda never replied to Mr. Kirby even on the 2 sites that he recommended for them for their needs for their water on the other side of town. Trustee Stiller stated that what Mr. Wargaski is referring to, in his email to the Board, is not then factually accurate. The conversations that took place with the Mayor and Golden Oaks was not the same conversation that took place with the Mayor of Wauconda and Village Manager. Mr. Wargaski said that he is relating what he knows as fact and what he was told by the Village of Wauconda. He stated that he is looking for the cooperation between two Villages and put the water tower in a spot where no one will be complaining about it if that's possible. Trustee Stiller replied that at this point and time, according to Mr. Kirby, there are no plans for a water tower, a well nor treatment facility on the Golden Oaks Farms that would be part of the Wauconda water system. He said that Mr. Wargaski, in his email to the Board, led the Board to believe that Wauconda and Golden Oaks had plans to be putting in a water tower and well. He said that Trustee Becker even referred to it that way as that was the impression that you gave the Board. Mr. Wargaski stated that he is trying to come up with ideas of how to get this water tower off the top of his house that the Village is insisting on putting there. Trustee Stiller again stated that he finds Mr. Wargaski's email factually inaccurate.

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

7. Approval of Baxter & Woodman, Inc engineering proposal for design and construction services for Well No. 10, Water Treatment Plant, and elevated tank in the amount not to exceed \$480,700.

Motion by Trustee Stiller, properly seconded to approve Baxter & Woodman, Inc engineering proposal for design and construction services for Well No. 10, Water Treatment Plant, and elevated tank in the amount not to exceed \$480,700.

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Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

8. Acceptance of Speed Study Prepared by Baxter & Woodman, Inc.

Motion by Trustee Stiller, properly seconded to table the approval of the speed study. Trustee Stiller stated that the Board just received the document from the Chief and would like everyone to have the appropriate time to thoroughly review the report before voting on this item. He would also like to have legal review the document also.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried

9. Approval of pay request number 2 in the amount of \$156,309.66 to Elmwood Enterprise's

Motion by Trustee Stiller, properly seconded to approve the request number 2 in the amount of \$156,309.66 to Elmwood Enterprise's. Trustee Schmidt stated for the record that with regard to number 14, on dust control, he feels there should be a zero charge as they did not do anything to control the dust.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried

10. Presentation by NRB Land for the proposed Covered Bridge Farm subdivision

Andy Teegan stated that he supplied the Board with a new set of revised plans about a week ago. He changed the plan from 69 lots to 65 lots, the right of ways are now 60 feet from 50 feet and the ponds have been adjusted as show on the plan. Ponds were placed in separate outlot areas. In making these changes, the minimum lot size remains at 15,000 square feet and the minimum lot frontage remained at 90 feet. Mr. Teegan stated that the average lot size is 20,000 square feet. He added that this plan is more like an R2 and a half being that it's at a mid point between R2 and R3. Mr. Teegan added a table, per Trustee Schmidt's request, which shows actual lot sizes. He added that they were asked for a tree preservation plan which shows a net zero change. 17 additional hardwood trees were saved so there's a positive of 2. 2 lots there were removed came out of the center core piece and the other 2 lots there were removed were in different areas and pointed out on the plan to the Board. Lots 19 and 58 there was a minor pavement shift in the right of way for tree preservation. The northern section of pond #3 was removed. The sidewalks were moved from 5 feet to 4 feet except along the entrance road off of Neville where the sidewalk remains 5 foot wide and is double sided. Sewers, etc., are put behind the curb and gutter except in 1 area due to the trees. 12 house pads were adjusted. The exhibit shows directional drilling and open cut trenching so there is minimal impact in these particular areas. Mr. Teegan reported that they adjusted 17 drive ways to assist with further tree preservation. The sidewalk was also adjusted in 5 locations. There is a 12 inch water main shown from the south entrance road to be run between lots 2 and 3 to avoid the area with the pond, the bridge, etc. Number 15 states that they have provided a 15 foot wide easement along the north side of Neville Road to accommodate a bike trail connection. It effects lots 3, 4, 5, 6 and 7 and a portion of the outlot.

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Mr. Teegan presented one other exhibit today. He showed an aerial photo taken of the area before and after Walnut Glen came in. The before was taken in 2002 and the after was taken in 2005. The photo shows a definite negative impact on the trees in the area and is a good example of what not to do. Mr. Teegan pointed out the areas that will definitely not be touched in order to not disturb the trees. He feels that he is showing to the Board his strong level of commitment by taking such precautions and working on the changes that the Board wanted to see. Mr. Teegan stated that they are trying to save as much as possible to preserve the character of the land. These things need to take place so they can have the right feel to this subdivision that they are trying to accomplish.

Trustee Huff stated that he applauds them for their efforts and is happy to see the changes thus far. He said that in order to do justice to the trees though, there are still too many trees. He said that only 4 lots were cut and some are still only at 15,000 square feet. The average is 20,000 but he would like to see more at 23,000 to 24,000 square feet.

Trustee Stiller verified that the sidewalks are on one side and Mr. Teegan replied yes. Trustee Becker questioned lots 44-47 and asked if any of these lots could be removed. He knows these are prime lots but maybe the area by the lake could be expanded. Mr. Teegan said that yes, these are prime lots, and if any of these lots were removed, that it wouldn't do a whole lot for the trees as there are not very many trees in this particular area to begin with. Trustee Huff replied that he is concerned with 1 thru 7, 8 thru 15, 64 and 65. He feels that more adjustments need to be made in these areas as they lots are quite small. Mr. Teegan replied that if they make some of the lots larger there is marginal impact on the value. The economics of the project pay for the pond, the paths, bridge, portion of the water coming through, etc. Trustee Schmidt stated that half the lots are under 18,000 square feet. He said there are a few large lots, such as 25, and these skew the numbers. Trustee Stiller inquired about lots 26, 27 and 28 and that they are going to utilize a road outside the development. Mr. Teegan said 26 and 27 would be but not 28 and 29. Mayor Hyde questioned that the lots that have different entrances. Mr. Teegan said that when the section of Dowell Road breaks off and goes to the north, that there will maybe be a new tie off.

Mayor Hyde stated that he would like to bring up some other areas that also need finalization. He said that they have talked about the water costs to tie into the water system and they were in agreement that this would be up front and paid so the Village would not have to wait for the investment into the Village water system waiting for all those lots to come in as with previous other developments. Mr. Teegan said that this is the first that he has heard of this. Mayor Hyde said that this is coming loud and clear. As they move forward, what they have done with each development is they put a time frame on it so if the lots are not finished by that point and time, that the funding will be paid. Mayor Hyde said they gave Circle a year and they are still working with that. Mayor Hyde said they would like the opportunity to fund this with "your" money rather than the Village having to go out and borrow the money and have to wait then to get the money in. He said that they are looking at this very seriously and they have done this with each development putting in a time line so the Village is ready for the infrastructure that needs to come in. Mayor Hyde said they talked also about a Park and Recreation donation. He said they put a dollar amount that would be brought in with each house which would go towards Park and Recreation, trails, etc. They would be asking for the same from Mr. Teegan. Mr. Teegan replied that it's his understanding that Circle Land is not annexed in yet and that it may not be. Mayor Hyde replied that it may not. He added though that they are looking at coming up with a number. Mayor Hyde also mentioned sidewalks. He relates to the sidewalks being on one side as it relates to preserving the trees. All other developments they have looked at sidewalks have been on both sides and one of the advantages is the people in the community value sidewalks on both sides. If sidewalks are being contributed on one side, he feels it would be nice to have the dollar amount that would have been spent on the other side, that it could be contributed to elsewhere in the community to equalize the sidewalks that would normally go on the other side of the street and to place that dollar amount where sidewalks are needed elsewhere. For example near Route 176 and the school. Mayor Hyde said this is a conceptual idea. He said that the Village attorney has sent Mr. Teegan a letter regarding an investment in a water tower. Mr. Teegan stated that they looked at it but that they decided that the water tower location was not as detrimental as costs associated with putting it somewhere different. If it were to be placed somewhere in the open space to the south of this development, they feel it wouldn't have an impact to justify a payment towards putting it somewhere else in town. Trustee Schmidt re-stated for Mayor Hyde that for every lot that they cut out, they give up impact fees. Mayor Hyde suggested that the Board take a look at the adjustments that were made. He appreciated Mr. Teegan's work at preserving the trees in this area. He said that the Board will get back to Mr. Teegan in short order. Trustee Herrmann stated that the flavor of this development is very unique. She was not at the last meeting but she does see a lot of improvements that have been made since the Board expressed their initial concerns.

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With a wooded development such as this, to cookie cut it to make the lots work to make it a number, she totally disagrees. She feels that if the Board truly wants less lots, the Board needs to look at where the adjustments can be made and how it will impact the Village dollar wise. Trustee Herrmann feels that the unique design of this development and the lots needs to be closely considered.

*Items from the Clerk, Department Heads and Trustees*

- Kevin Sutherland thanked the Board for approval of Baxter and Woodman's proposal this evening.
- Connie Mascillino reminded the Board of the meeting set for March 19<sup>th</sup>. The meeting begins at 7 pm.
- Attorney Scott Puma stated that Hillside Estates is looking for a public hearing with the Board for April 5<sup>th</sup>. Attorney Puma has a draft and will email it to the Board Members. Mark Janeck is responsible for the appropriate publishing of this public hearing. Mr. Janeck would like the annexation and zoning, etc., that night and then have the voting that same night or at the following meeting. The Board would like the voting at the following meeting after the public hearing.
- Attorney Puma stated that Northern Moraine – there is a bill pending from Beaubien – stating that they would like to increase their board members from 3 to 5 and they are asking for the Village's support. Due to the addition of Lakemoor, and that they will have 5 communities, they would like to increase the board seats from 3 to 5. They are asking for a letter from the Village.

*Items from the Mayor*

- Mayor Hyde stated that AT& T would like to make a presentation on Project Light Speed to the Board at the next meeting. This will give Island Lake improved infrastructure for the future.
- Mayor Hyde stated that he was contacted by the Catholic Charities on Meals on Wheels. He said that this is a great service for Seniors. On March 21<sup>st</sup> Mayor Hyde will be attending a special promotion meeting on this.

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

Louie Sharp, 4378 Shooting Star – Mr. Sharp stated that he approached the Village Office, he spoke to Karen Pressney in the Office as well as he spoke with John Little and Frank DeSort and is now asking for assistance from the Village Board. Mr. Sharp stated that he is the tenant at 116 E. State and 128 E. State. His request to the Village Board is that they waive the Village utility fees and refund him past fees that he has paid as this house, at 116 E. State, is not rentable. He said that it is not rentable because Charlie and John Amrich have not hooked the water up. Mr. Sharp therefore can not rent this property out but is still being charged. Mr. Sharp said is also being charged for garbage. Mayor Hyde asked how far back Mr. Sharp is asking the Board to go back. Mr. Sharp replied that he is asking from the point and time when the Village passed the ordinance stating that everyone had to hook up to the new water main. Mayor Hyde said when the red tag was put on the house, that's when it became non-rentable. Mr. Sharp added that that's when they failed to hook up to the water and Mayor Hyde agreed. They agreed that it became non-rentable when the red tag was placed on the house and the people had to move out. This would be the start date then. Trustee Stiller inquired about the status of the house right now. Mr. Sharp replied that this particular piece is still highly contaminated and at this point he has not received yet any answers from the EPA. Mr. Sharp has a contract with the Amrich's to purchase the property once they have finished the clean up. He has had no contact with their attorney nor the EPA and has since filed a lawsuit against them in order to get this resolved. Mr. Sharp requested two items from the Amrich's also - to tear the house down or turn it over to the fire department so they can practice burning a house down. That request was denied by the Amrich's. Trustee Huff stated that based on the circumstances, he does not normally recommend this but, in this case, Mr. Sharp is due a refund. Mayor Hyde asked if Mr. Sharp has also asked for sanitary reimbursement and Mr. Sharp replied that he will be asking them for reimbursement next. Trustee Becker asked when the house was red tagged and Mr. Sharp replied close to 2 years ago. Trustee Huff and Schmidt stated that they feel that this is the right thing to do and reimburse Mr. Sharp his money. Trustee Stiller questioned though if this would be setting precedence. Mr. Sharp stated that he has done some of his own investigating in the meantime and the Board has already ruled in favor of an item such as this before as they granted Mr. Bless a refund on a similar instance.

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Trustee Herrmann asked Attorney Puma if the Village could lean the owner then. Attorney Puma replied that the owner is ultimately responsible for the liens. He added that there is an equitable issue with the owner if services were utilized or not. He would need to look further into this matter and speak with John Little also. The Board stated that they would look into this matter and get back to Mr. Sharp. Mr. Sharp asked who his point of contact will be and Mayor Hyde replied, contact me directly.

Don Saville, 3608 Burr Oak: Mr. Saville stated that Northern Moraine is looking to add two more people to their Board. They are seeking to have 5 Board Members. Mr. Saville explained that he has brought up before to the Island Lake Board the increase that was recently imposed by Northern Moraine to the sanitary bills. He again reiterated that it's not the \$4.65 but that it's more that the way that this was done to the residents of Island Lake. He explained that the increase was posted on November 1<sup>st</sup> and then an announcement was in the newspaper around December 22<sup>nd</sup>. 10 days after this notice was published, Northern Moraine instituted the increase and increased it retro to the previous quarter even though the notice states as of January 1, 2007. Mr. Saville stated that \$4.65 times all the residents in Island Lake, that that's a lot of money. He does not feel that this process was accurately done and is questioning again how they can charge retro back to the last quarter of 2006. Mr. Saville said that he has sent a letter to the Attorney General's office, Lisa Madigan. He encouraged the Board Members to write to her as well questioning this matter and any concerned residents. Mr. Saville stated that he also looked into another matter with regard to Northern Moraine and the Senior Discount. Trustee Stiller replied that Ken Michaels had told the Board that Northern Moraine has been advised not to offer a senior discount as it's discriminatory per their attorney. Mr. Saville said that on the ordinance that Northern Moraine passed which is exhibit A, there is a discount in which seniors are entitled to. The problem that's arisen though is, Mr. Saville has been informed by Mr. Verciglio, after contacting Seniors within the Village, the senior rate is supposed to be \$64. Out of 7 seniors, 5 were at \$64, 1 was at \$46.20 and 1 was \$71.15 which is the actual rate. One Senior that did apply for the discount, it was explained to him after contacting Northern Moraine, that there is no senior discount. Mr. Saville said though that there is a senior discount as it's in their ordinance that they passed. Trustee Huff asked if Mr. Saville has presented this information to Northern Moraine and Mr. Saville replied that he has not as of yet. A resident spoke out and told Mr. Saville to go to one of their Board Meetings. Mr. Saville explained though that you can't just go there and expect to talk and be heard because prior, you have to fill out a form stating what you'd like to speak out and they then decide if you are allowed to talk or not at the meeting. Trustee Huff stated that Mr. Saville has a lot of valid points here. Mr. Saville replied that one person can make a difference; however, one person isn't going to change anything. Mayor Hyde recommended also to go to the Northern Moraine directly with this information and questions and see what their reaction is which Mayor Hyde's hope is that they will then fix it. Mr. Saville appreciated the Boards attention and for listening to him this evening.

Tom Kaczmarek, 703 Fox Trail: Mr. Kaczmarek stated that he would like to commend the Board as over the years they now appear to be more into working with developers and asking these developers for items for the Village. What he does not understand though is why the Board has not yet set a guideline that is used with each and every developer that would like to come into the Village so each developer knows what is being asked for and what is expected of them. He stated that Mayor Hyde tonight asked a developer, in the 11<sup>th</sup> hour, for more money for the Village. Mayor Hyde replied that they have

asked for increases with other developers recently and he would like the Board to continue to go after larger commitments for these developers than what is there now. Mr. Kaczmarek stated that the Village has ordinances and impact fees and he doesn't understand how, once a developer begins presenting his concept or subdivision, how can you change what is expected and what's already in ordinance form. He explained that when developers are coming into a Village, they tend to review the Village ordinances before hand so they know what impact fees are required, etc. Mr. Kaczmarek suggested, as it's been recommended before by other Trustees and residents, to get a planner for the Village so there is unity and a lot less hassles. He asked when the ordinances are going to be worked on and changed so that they are written for the betterment of the Village as a whole instead of asking developers for things at the 11<sup>th</sup> hour. Attorney Scott Puma explained that annexation agreements in the past, when being negotiated, include whatever the then current fees are as well as they are generally applicable to other developments within the Village. So, if the impact fees were to be increased, he feels it would be generally applicable. Attorney Puma explained that in the annexation agreement process, the Board can negotiate impact fees differently and he doesn't know if they can do it. He said that he knows that they are going to try to freeze the fees. He said it could definitely increase. Mr. Kaczmarek asked if they can be increased and Attorney Puma replied yes. Mr. Kaczmarek asked then would it be better to be fair, if your asking a developer to pull out lots but yet the Board is suddenly increasing impact fees, should the Board discuss what the impact fees are, state those now so the developer knows clearly.

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Attorney Puma stated that that's what they are trying to do now so the developer knows what's being asked. Mayor Hyde and Attorney Puma replied that this is not the first time that this developer has heard about paying for all the water costs up front.

John Ponio, 212 Island Lake: Mr. Ponio stated that in the newspaper last week, Kevin Sutherland was quoted as stating that there are two locations that were being considered for a water tower but the Board had said there was only 1 location. He also heard a rumor that one location would probably save the Village \$80,000 over the cost of another location. He questioned that it was stated that the water main is \$225 and he wondered if the water tower was place more central, would that help to save the Village money vs. the location that being chosen on the edge of that development. Mr. Ponio said that the article also stated that it only takes 3 weeks to get a permit for something that the Village does not need for three years. It seems to Mr. Ponio that the Village Board jumped the gun on something because someone wants some future development. He said too the Board is asking the developer tonight to pay for a water main because the Village does not have the money for it. Mr. Ponio said if the Village does not have the money for it and it's not needed for 3 more years, the projects going on now have water and if the permit only takes 3 weeks to get, it seems there's no reason to build this water tower at this point and time. Mr. Ponio said it appears that more than one location can be considered and he's curious as to why it had to be voted on so soon and that it's an unnecessary item at this time plus, the Village does not have the money for this. He said it's not a need right now yet the Village is spending a half a million dollars on this right now. He questioned if this is going out for bid. Attorney Puma explained that the engineering services act allows the Village to select its engineer based upon certain criteria. The prevailing wage issue only pertains to Public Works construction. It has no applicability to the Village engineer. Tonight, it is a bid to design the tower, not construct the tower. Attorney Puma said that Baxter & Woodman does not build water towers. Mr. Ponio read the item on the agenda and repeated that the Village is paying Baxter & Woodman \$480,000 to design a water tower?! Attorney Puma replied a water tower, well and the water system. This is not the cost of the water tower itself. He questioned why the Village does not go out for bids for other engineering company's. Trustee Stiller said that they used another engineering firm and at a lower cost; however, the project was not completed in a timely manner and therefore because of the delays, actually cost the Village more money. Mr. Ponio stated that the Board should consider other options when spending this kind of the Village's money. Especially, for something that's not needed for 3 years. Trustee Stiller explained that the Village currently has enough capacity for developments already platted and construction has started. The new construction will not have enough capacity and more importantly, not enough storage. Mr. Sutherland said the ability to supply water is not just about volume and storage but it is also for pressure stabilization especially, for fire flow. He said that Hillside Estates and the Rodewald project are both at higher elevations and they can not be served based on the current system based on pressure. Mr. Sutherland explained too that there is only a single water main out there and if that water main goes down, it effects that entire area, not just a couple of houses. Mr. Ponio asked what the cost of a water tower is then. Trustee Schmidt read an estimate - \$130,000 for well number 10, pumping facility \$50,000, water treatment facility \$2 million, 750 thousand dollars, water tower \$975,000 so the total is about \$3 million 900 thousand dollars. Mr. Ponio questioned the time it will take for the Village then to recoup almost \$4 million dollars and get in the black again. Mayor Hyde said that part of reason the Village is up-fronting the demands so that the water tie on fees are all paid upfront from the developers. Mr. Ponio asked when the return on the investment will be then. He questioned then what will happen if say the Rodewald developer walks because tonight the Board told him that he has to add all these other fees. He added that Hillside Estates is not in the Village yet either. Mr. Ponio understands that the Board is trying to look to the future; however, when will the return on the investment come back. He said it's a lot of money. Mayor Hyde said that there are about 500 homes total and that it's about \$6300 per home.

Jack Schall: Mr. Schall stated that the developer normally pays for all the installation of utilities. He said a bond is normally posted so that the developer can not just walk away. Mr. Schall said that the Village should not be funding utilities. He said

*that normally, in the past what was done, the developer pays for all the engineering fees, upfront and not the Village, and he had to bond everything. He said if the Village has to repair areas in other parts of the Village yes, then, the Village has to find the money to do that but the Village should not be funding utilities and never did so in the past.*

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

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

*Meeting was adjourned at 10:08 pm.*

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*Clerk Christy Kaczmarek*