

**MINUTES OF A REGULAR MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 12th DAY OF APRIL 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, Guido, Herrmann, Huff, Schmidt and Stiller.

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; Connie Mascillino, EMA Director and Sharon Hyde, Creative Playtime.

Approval of Minutes – March 1, 2007, March 8, 2007 and March 22, 2007.

Motion by Trustee Stiller, properly seconded to approve the meeting minutes from March 1, 2007, March 8, 2007 and March 22, 2007.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

**COMMITTEE REPORTS**

**1. BUILDING, ZONING AND ORDINANCE**

Trustee Herrmann read the building report for the month of March: Total building permit fees \$32,435.00, total water connection fees \$13,677.00, total permits issued 25, Electrical Compliance Inspections \$250.00 for a total of fees \$46,362.00.

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 March: 30 residents have had garbage pick up suspended for non payment, 18 red tags were posted for shut off/2 shut offs and a remainder has paid, 10 residents move into and out of the Village in March, Section B water bills were due and late notices were sent, Section A water bills were sent out, mailed out 309 final notice letters to residents with no vehicle stickers and John Little has been busy preparing the budget.

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**

*Trustee Guido summarized the POLICE AND PUBLIC SAFETY activity report for the month of March: 1224 Calls for Service, Lake County courts collected \$1,473.35 and McHenry County courts collected \$5,970.03 with a total of \$18,795.20. The Chief and Field Training Officer Andrew Klem attended the graduation of Probationary Officer Jeffrey Fleming as he completed Basic Recruit Training. The Chief and Sergeant Sciarrone attended the annual Illinois Law Enforcement Alarm System conference in Springfield to learn about the many new programs that have been instituted by ILEAS. During March, Officers donated their personal time and participated in the Fingerprint Clinic at Cotton Creek. Over 200 youngsters were fingerprinted and photographed. The Village's annual Easter Egg Hunt was a great success with many youngsters enjoying the event.*

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

**4. PARKS, RECREATION AND EDUCATION**

*Trustee Schmidt presented the report for the month of March: Parks and Recreation: 147 enrollees with 29 openings. Total registered for 07-08 is 101. Spring parties were held the week of April 2<sup>nd</sup>. The two year old classes received their portraits before Spring Break. The three year old classes are moving into curriculum that highlights Pet Day, Zoo Day an Under the Sea Day. The Pre-K classes are almost finished with their alphabet unit. The Pre-K classes have also scheduled a field trip to Petco. Mr. Zs fundraiser – revenue \$3,040.50, expenses \$1,734.65 with profit of \$1,305.85. Revenue \$89,659.50 with expenses from 3/26/07 \$83,319.59. Trustee Schmidt tabled the Park and Recreation report from March as Karen Luebbers is on vacation and no report is available at this time.*

*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 March: Public Works applied cold patch on numerous roadways throughout the Village. To date, 7 tons of cold patch has been applied. Another 3 tons will most likely be needed. Tree trimming continuous throughout the Village. Frequent rainfall has required the opening and closing of the spillway to control excessive runoff. Notification of the opening and closing is forwarded to the Mayor and Trustee that oversees Public Works. Current rainfall has resulted in the Southport pond exceeding its banks and backing up the stormwater into the roadway. Baxter & Woodman has been contacted for suggestion of a resolution. Garbage was picked up along roadways throughout the Village, at Village Hall and at the Village Parks. The streets were swept throughout town also. The Converse Park sledding hill and ice rink have been closed for the season. Budgeted picnic tables and garbage cans has been ordered and received. Mr. Kootstra and Kevin Sutherland of Baxter & Woodman attended a drinking water seminar in Springfield. They made a presentation regarding the usefulness of CDBG grants. Several employees attended and are now certified for State of Illinois work zone flagging.*

*Water Department: Completed 68 JULIE locates. The second leg and third leg of the water main for Walnut Glen subdivision successfully passed pressure testing and bacteriological analysis. The fire protection water main for the Matthews Middle School successfully passed pressure testing also and bacteriological sampling. All water main work is complete for this site. A new sump pump was installed at the softening plant. A water main break was repaired at 102 Hazel Court. Completed quarterly water meter readings for the Fox River Shores, Westridge, Campbell Woods, Pine Ridge, Waters Edge and Prairie Woods. Excavated and disconnected a water service at 3410 Highland Drive. The house will be demolished in the future. Total gallons pumped: 17.5 million with average gallons per day 565 thousand and peak day gallons 751 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

Economic Development report presented by Trustee Becker for the month of March: Trustee Becker reported that he attended the NIMS by the Fire Department. They learned how to handle a terrorist attack situation, bank robbery, etc. Trustee Becker contacted Lake County Partners to let them know that his term is almost over and to please contact Mayor Hyde for a future contact person with the Village.

Motion by Trustee Huff, properly seconded to accept the ECONOMIC DEVELOPMENT report. 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.

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1. Approval of signage for CarpFest
2. Approval of raffle permit and waiving of the fee for CarpFest
3. Approval of temporary tent permit and waiving of the fee for CarpFest
4. Approval to waive the 10 horse power restriction for the barges at the July 14<sup>th</sup> Village fireworks
5. Approval of Miseracordia Tag Days April 27<sup>th</sup> and 28<sup>th</sup>
6. Approval to pay the bills

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

Upon roll call, Trustees voted as follows:

AYES: Trustees Guido, Herrmann, Huff, Schmidt and Stiller.

NAYS: Trustee Becker

ABSENT: None

ABSTAIN: None

Motion was declared carried.

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### 1 Agenda Items:

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1. Approval of 2007-08 Fiscal Year Budget

Trustee Becker stated that last week it was mentioned that some would be receiving a 7% raise. These individuals have already received substantial raises in the past. With union negotiations pending and plans for cutting the budget, Trustee Becker feels the percentage of the raises is too high and out of line. He added that if all the Police Department and all of Public Works were to get a 7% raise, he would then go along with it.

Motion by Trustee Huff, properly seconded to approve the 2007-2008 Fiscal Year Budget. .

Upon roll call, Trustees voted as follows:

AYES: Trustees Guido, Herrmann, Huff, Schmidt and Stiller.

NAYS: Trustee Becker

ABSENT: None

ABSTAIN: None

Motion was declared carried.

**2. Approval of sign variance for Walgreens**

Mayor Hyde sent an email to the Board Members today regarding the redesign of the Walgreens sign. It is approximately 40 square feet larger than the ordinance allows for. Steve Schwartz presented the changes as well as a new rendering of the Walgreens sign for approval this evening. Trustee Huff inquired about the LED reader board on the sign. No one indicated that there was anything within the Village ordinances regarding an LED reader board. Trustee Huff stated that LED reader boards may not be allowed then via the Village ordinances. Attorney Scott Puma verified that the sign presented is 40 square foot larger than stated in the ordinance. Mayor Hyde asked for an adjustment in the motion then to include the LED reader board. Trustee Stiller amended his motion to be – Approval of sign variance as presented this evening to include the LED reader board.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

**3. Approval of variation for Dana Muligano for use of his well for irrigation purposes**

Mr. Muligano began by stating that he believes, from the last meeting, that the main concern was contamination to our public water system. He said that CVRV was allowed to have a well plus they are on city water. He stated that he has lived in Island Lake for 20 + years and now serves this community as a Fire Fighter. Mr. Muligano stated that he would never jeopardize the Village water system and can even be far better trusted than a business in town such as CVRV. He said that he's asking for the same. Trustee Stiller replied that he did some research in the meantime and has located 2 letters, one from November 2005 and one from March 2007 that went to Mr. Muligano from the Village. He added that the Clerk also checked through many minute books and can not find anything with relation to Mr. Muligano and his well within the meeting minutes. Trustee Stiller stated to Mr. Muligano that he has no doubt that he would be careful but that this situation goes beyond that. He said that the Board represents the health, safety and welfare of the entire Village and that CVRV is entirely different. The Trustees are to look out for the community as a whole which outweighs single requests such as this. Mr. Muligano again explained that the prior owner of the house stated that he was approved to have this well. Trustee Guido asked how many wells are out in the Village. Mr. Muligano said that he does not know but knows that CVRV has a well. Mr. Muligano offered to have his well tested by Snelton as well as would agree to have his well tested periodically if that would make the Board more comfortable. Trustee Stiller replied though that the well is not a necessity but rather that it is a luxury. Mr. Muligano agreed that his situation fell through the cracks and was set up to be this way by the previous owner. Trustee Guido stated that there are other residents out there in the Village that are on wells too and that the Board will be working on this right away to make sure that they hook up as well to the Village water system and abandon their wells. He apologized to Mr. Muligano for his situation and that he must have been mis-led by the previous owner. No one appears to have given the previous owner permission nor is there something on record with the Village. Trustee Stiller stated that through his research, there is also no copy of the permit even for this property to tie into the Village water system. Someone apparently did the hook up and did so without a permit. Mr. Muligano expressed though that he does not feel that the onus or burden should be placed on him. Attorney Scott Puma stated to Mr. Muligano that it is very difficult for the Village to step into this situation. He said that Mr. Muligano had a contract with the seller and that the Village would have taken steps with the previous owner. Attorney Puma said that the Village has an ordinance. If one taps onto the Village water system that's a trigger to cap a well then as the second step. Mr. Muligano stated that the Village should have handled this situation. Attorney Puma replied that there is no record of a permit. Trustee Becker stated that Mr. Muligano pays a water bill so someone had to or has to know. Attorney Puma stated again that the well should have been capped per the Village ordinance. Trustee Guido asked Mr. Muligano if he received the November '05 letter and Mr. Muligano replied that he does not recall receiving a letter. Mr. Muligano stated that he had no trouble when speaking with Neal DeYoung nor having him come to inspect what had been done. Trustee Becker questioned if the Board would be receptive to a biannual inspection or something and allow Mr. Muligano to keep his well for irrigation purposes. Trustees Herrmann, Huff and Stiller and did not agree with this. Mr. Muligano replied that he does not have the finances for this situation. Trustee Stiller asked Mr. Muligano how long it would

take him to get the finances together for this and Mr. Muligano replied about 6 months. Mr. Muligano again stated that the Village should have addressed this already with the previous owner in the past. Trustee Guido stated that others have had to pay also to hook up. He apologized on behalf of the Village and stated that those that have not hooked up, will be receiving letters again and will be required to hook up to the Village water system. Mr. Muligano replied that this is no fault of his and that the onus should be on the Village. Attorney Puma stated that it is the fault of the property owner and that Mr. Muligano can not blame the Board that is sitting up here today. The Village ordinance has been on the books for years already and that Mr. Muligano should probably have addressed this with the Board long ago. He added that the Board is trying to work with Mr. Muligano. The Trustees discussed when the main was put down that street, the SSA and how this property hooked up without the Village's knowledge. Mr. Muligano stated that he started paying for water the day he moved in. Mr. Muligano asked if the Board is going to make sure that all those others cap their wells and hook up to the Village water system. Trustee Guido replied that all residential pieces need to and will hook up per the Village ordinance.

Motion by Trustee Stiller, properly seconded to deny the request for Mr. Muligano's request for a variation in order to keep an irrigation well but to grant Mr. Muligano 6 months to abandon his well.

Upon roll call, Trustees voted as follows:

AYES: Trustees Guido, Herrmann, Huff, and Stiller.

NAYS: Trustees Becker and Schmidt

ABSENT: None

ABSTAIN: None

Motion was declared carried.

#### 4. Approval of ordinance 1303-07 Senior discount on water bills

Motion by Trustee Stiller, properly seconded to approve ordinance 1303-07 Senior discount on water bills.

Upon roll call, Trustees voted as follows:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was declared carried.

#### 1 5. Approval of ordinance 1304-07 \$35 charge for red tags and Approval of ordinance 1305-07 \$75 for recording of liens

Trustee Becker questioned the \$75 for recording liens and how this is to break down. Trustee Huff said that there is a legal fee for filing liens. Attorney Scott Puma said that there are a number of charges such as recording fees, there's a release charge, cost to draft the lien, have to obtain a legal description, etc. Trustee Becker asked if the Village can profit from this and Attorney Puma replied that the Village can definitely set reasonable fees.

1 Motion by Trustee Stiller, properly seconded to approve ordinance 1304-07 \$35 charge for red tags and

1 Approval of ordinance 1305-07 \$75 for recording of liens.

Upon roll call, Trustees voted as follows:

AYES: Trustee Becker, Guido, Herrmann, Huff, Schmidt and Stiller

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was declared carried.

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1 6. *Approval of ordinance 1306-07 re-adopting section 7-11-1 Village speed limits*

*Carriage Hill is to be corrected within the ordinance.*

*Motion by Trustee Guido, properly seconded to approve ordinance 1306-07 re-adopting section 7-11-1 Village speed limits with Carriage Hill corrected.*

*Upon roll call, Trustees voted as follows:*

*AYES: Trustees Guido, Herrmann, Huff, Schmidt and Stiller.*

*NAYS: Trustee Becker*

*ABSENT: None*

*ABSTAIN: None*

*Motion was declared carried.*

7. *Approval of Boat Lift and Pier (for the Lake Management Committee)*

*Motion by Trustee Stiller, properly seconded to approve \$2800 for a boat lift and pier as well as waive the permit fees.*

*Upon roll call, Trustees voted as follows:*

*AYES: Trustees Becker, Guido, Herrmann, Huff, Schmidt and Stiller.*

*NAYS: None*

*ABSENT: None*

*ABSTAIN: None*

*Motion was declared carried.*

8. *Approval to donate \$250 to the American Cancer Society Relay For Life*

*Mayor Hyde explained that the \$250 donation would put Island Lake again this year as one of the top sponsors for this event. He believes that this is a very worthy cause.*

*Motion by Trustee Herrmann, properly seconded to approve to donate \$250 to the American Cancer Society Relay For Life.*

*Upon roll call, Trustees voted as follows:*

*AYES: Trustees Guido, Herrmann, Huff, Schmidt and Stiller.*

*NAYS: Trustee Becker*

*ABSENT: None*

*ABSTAIN: None*

*Motion was declared carried.*

9. *Approval of temporary structure permit for the Grape Vine restaurant for 6 months/180 days*

*Motion by Trustee Huff, properly seconded to approve a temporary structure permit for the Grape Vine restaurant for 6 months/180 days.*

*Trustee Herrmann questioned this permit as the building that the Grape Vine restaurant is currently occupying is for sale. She questioned what would happen if the Grape Vine moved out and if this permit would transfer to the next owner or not. Attorney Puma stated that it is up to the Village to decide. Trustee Huff replied that he feels that that question is already taken care of by him stating approval of a temporary structure permit for the Grape Vine restaurant.*

**Board Meeting, April 12, 2007 Page 7 of 8**

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

*Items from the Clerk, Department Heads and Trustees*

- Clerk Kaczmarek reviewed with the Board the items for the next meeting for the agenda as there was question from another Trustee the previous week as to how items get placed onto the agenda. Trustee Herrmann once again questioned the approval of a beer tent for the Chamber carnival. She questioned if police control would then be needed, if this changes the venue of the carnival, etc. She requested that both the Chamber and Lions Club come and talk to the Board about this. Trustee Becker agreed to contact them and invite them to the next meeting. Trustee Schmidt explained that normally with dram shop insurance/policies, it's usually for x amount of events. He believes the Lions Club would like to participate in three events-Chamber Carnival, CornFest and Village Street Dance.
- Trustee Herrmann reported that herself and Frank DeSort are working on re-doing the Village ordinance book. Mr. DeSort has two other companies to look at besides Sterling Codifiers. Businesses licenses are also being discussed and worked on.
- Trustee Schmidt reported that he received a letter from Young Scholars regarding the brick for their building. They are waiting for better weather in order to install the brick. He received an email from Mr. DeSort today stating that Young Scholar's has a different brick style that they are considering using and would like Trustee Schmidt to please see it.
- Trustee Schmidt is working on getting deposit over to the Fireworks company for the Village fireworks display this summer.

*Items from the Mayor*

- Mayor Hyde attended the funeral for Judge Rohr on Wednesday.
- Mayor Hyde received a letter from Ken Felton. He has a concern with his property with regard to drainage problems. This is off of Vista Drive.
- Mayor Hyde received a request from the Village of Wauconda for Island Lake to participate in the Wauconda Memorial Day parade on May 28<sup>th</sup> at 10 am. Trustee Herrmann stated that she plans to attend.

Captain Arrizzi reported that as of May 15<sup>th</sup>, Gilmer and Fairfield Road will be shut down for 4 months for an overpass/underpass on the road. It will be closed May 15<sup>th</sup> to September 15<sup>th</sup>.

Chief Fellmann reported that he attended a Risk Management session and with the assistance of Attorney Puma, he will have a draft for the Village Boards review. He stated that the Police Department is in the possession of a waver runner and tailor at this time and hopes to see this on propertyroom.com shortly. Per Bob Carpenter, he asked Chief Fellmann to mention requiring permits for small types of vessels. They need state registration. Mayor Hyde passed out a copy for the Board to review.

Willie Kootstra stated that Public Works is almost ready for the road project bid. They will publish this appropriately, etc.

John Little thanked the Board for approving the budget this evening. He stated to Trustee Becker that he believes that Trustee Becker voted on the Union contracts and those individuals receive 6-22% salary increases. Trustee Becker thanked Mr. Little.

Connie Mascillino reported that the new siren is up and working in Fox River Shores. Chief Fellmann added that he has pre-recorded a pre-alert message for the CTY system for tornado warnings. This is easily activated.

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

*Tom Kaczmarek, 703 Fox Trail: Mr. Kaczmarek stated that he's sure everyone is aware of the letter between himself and Mayor Hyde and that there was a question on the appointments. Because of time constraints, Mr. Kaczmarek spoke with Trustee Guido and Trustee Schmidt as well as Trustee Guido were both out of town at the time so Mr. Kaczmarek submitted the letters on behalf of the Spray Park Committee. He stated that this was an oversight on his part and was his mistake. Mr. Kaczmarek stated that several people attended Mayor Hyde's presentation to the Wauconda Pool Foundation. He does not agree with the content that Mayor Hyde presented to the Foundation. He added that they did not participate but rather just sat there and observed the presentation that was done by Mayor Hyde.*

*John Ponio, 312 Island Drive: Mr. Ponio addressed Mayor Hyde and the statement that Mayor Hyde made in a letter to Mr. Kaczmarek stating that Mr. Ponio was responsible for almost losing grant money for the Village. Mayor Hyde replied that the project was stopped for a year because of Mr. Ponio's efforts. Mr. Ponio said that the proper paperwork was not filed. Mayor Hyde replied that they went through each area and went back and took their time and filled out the paperwork properly. Everything was then put back into motion and the Village did eventually receive approval from the State. He said that the Village was 100% exonerated. Mr. Ponio stated that he did not appreciate Mayor Hyde talking about him. Mayor Hyde stated to Mr. Ponio that he directly held up the grant and the Village spent a lot of time and money because of his accusations. Mr. Ponio said that if the paperwork had been done correctly the first time, everything would have been okay, but it wasn't done properly.*

*Connie Mascillino reported that the Veteran's 4<sup>th</sup> of July Parade will be again on July 4<sup>th</sup> and she is already starting to prepare for the event.*

*Rich Garling, 3310 Greenwich Lane: Mr. Garling asked Ms. Mascillino if she contacted the US Navy for the 4<sup>th</sup> of July parade. Ms. Mascillino replied that she plans to contact them soon.*

*Request by Mayor Hyde to do into Executive Session for Personnel. Motion by Trustee Stiller, properly seconded to go into Executive Session for Personnel. Mayor Hyde asked Chief Fellmann to stay for the meeting.*

*Motion by Trustee Stiller, properly seconded to close Executive Session and return to the Board Meeting. Upon voice vote, all in favor.*

*Motion by Trustee Huff, properly seconded to close the Board Meeting.*

*Being that no further business was discussed, motion by Trustee Huff, properly seconded to adjourn the Board meeting. All in favor. Being that no further business was discussed, the meeting adjourned at 9:32 pm.*

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*Clerk Christy Kaczmarek*