

**MINUTES OF A REGULAR MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND
LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 14th DAY OF OCTOBER 2004**

CALL TO ORDER Mayor Charles R. Amrich called the meeting to order at 8:00pm. Those present stood and pledged allegiance to the flag.

ROLL CALL Roll call indicated the following present: Trustees Eberhard Becker, Sally Fleissner, Deborah Herrmann, Thomas Hyde and Thomas Martin. Absent Trustee Matthew Huff.

Also in attendance was Village Attorney Dave LeSueur; Police Chief Don Bero; Sergeant Anthony Sciarrone; WFD Captain Joseph Arizzi; Public Works Director, Willie Kootstra; and Connie Mascillino, EMA.

CORRESPONDENCE: Clerk Becker read a thank you letter from the Association of Home Based Businesses of Island Lake.

APPROVAL OF MINUTES

Trustee Hyde requested adjustments to the minutes of September 23 as follows: Trustee Hyde request to post the Bike Trail Committee meeting, insert quote: a broken clock is right two times a day

Adjustments to September 30 meeting as follows: include two letters that were read at the meeting from Luke Ponio and William Woodhouse, add the backgrounds and qualifications of the two contractors that were at the meeting, insert comments made by the Veterans and Boy Scouts.

Motion by Trustee Martin, seconded by Trustee Fleissner to approve the minutes of September 9 and October 7 and to table the minutes of September 23 and 30 as presented.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Fleissner, Herrmann, Hyde and Martin

NAYS: None

ABSENT: Trustee Huff

ABSTAIN: None

Motion was declared carried.

COMMITTEE REPORTS

1. BUILDING, ZONING AND ORDINANCE

Trustee Herrmann read the building report for the month of September. A total of 45 building permits were issued, total building fees collected was \$3,754.05, total water connection fees \$150.00, total permit fees \$3,904.05, total electrical compliance inspections \$1,10.00, total rental inspections \$50.00, total fees collected \$5,054.05.

Frank DeSort has been out of the office, Dan O'Neal filled in for him. The proposed ordinance changes presented last week did not get finished due to Frank's absence and the holiday weekend. She will cover these items further under "Items from the Trustees"

Motion by Trustee Hyde, seconded by Trustee Fleissner 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 Fleissner read the Finance & Administrative report for the month of September. 25 move outs in September, Section B water bills were due and late notices mailed, 4 red tags were posted for unpaid water service, Section A water bills were mailed, the Annual Treasurers report will be published in the Daily Herald on October 21, 17 residents have garbage pick up suspended for non-payment, John Little met with Glenview Utility Auditors, the water fund will be saving approximately \$1,400.00 on their monthly utility bills.

Motion by Trustee Martin, seconded by Trustee Hyde to approve the FINANCE AND ADMINISTRATIVE report as presented by Trustee Fleissner. Upon voice vote, motion was unanimously declared carried.
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3. POLICE AND PUBLIC SAFETY

Trustee Martin summarized the POLICE AND PUBLIC SAFETY activity report for the month of September. Calls for service totaled 983, criminal offenses 61, criminal arrests 16, ordinance violations 55, traffic citations 242, accident reports written 12, warrants served 4, p-tickets 46 and warning tickets 26. Total monies received from Lake County \$6,092.70, total McHenry County \$10,262.98, total p-tickets \$1,330.00, NSF fines \$40.00, report copies \$63.75, and miscellaneous fees collected \$4,536.67.

Motion by Trustee Hyde, seconded by Trustee Becker to approve the POLICE AND PUBLIC SAFETY report as presented by Trustee Martin. Upon voice vote, motion was unanimously declared carried.

4. PARKS, RECREATION AND EDUCATION

Trustee Hyde summarized the Parks, Recreation and Education reports for the month of September:

Creative Playtime: 154 children are enrolled in the program, there are 22 openings, fall activities include color review, apple activities, and the Hungry Caterpillar Book. Captain Glade from the Wauconda Fire Department visited the classrooms to discuss fire prevention. A new teacher was hired for the Monday/Friday three year old classes, portrait days will be November 8 and 9. Total revenues through October 15 \$26,194.38.

Recreation: Fall classes are in full swing, flyers were dropped off at the Prairie Grove School, the department attended an open house at Cotton Creek School, Trunk or Treat is scheduled for October 24 from 1:00-3:00pm, the Holiday Craft Faire is November 20 & 21. Total revenues \$8,584.00.

Club: 47 children are enrolled in the program, the children will be participating in a different activity every four weeks, total revenue \$18,203.00. There is a serious need for a new/used bus; they will be looking to purchase one with the proceeds from the program.

A blood drive is scheduled for January 22 in the Senior Center from 10:00am to 2:30pm.

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

5. PUBLIC WORKS

Trustee Becker summarized the Public Works report for the month of September:

Public Works: over 130 tons of asphalt was put down in repairs of roadways, numerous concrete curbs were replaced in various sections of the village, several sidewalk sections were repaired in the Westridge Subdivision, in response to a request from the IDNR several small trees and brush are currently being removed from the spillway area. Contact has been made with IDOT for needed maintenance regarding a washout area. The IDOT repairs should begin next spring. In response to concerns mentioned recently regarding erosion control, the department is making every effort to ensure that erosion control standards are met. Baxter & Woodman has indicated that there is no need for a permit. Willie has contacted Commonwealth Edison about relocating the street light at River and Burnett Roads.

Park Items: winter preparation for the parks has begun, timbers were replaced at Grek Park, and the buoys will be pulled out of the lake for the season.

Water Department: the Westridge water tower repainting project is complete, all 20 residences in the CDBG2002 project are connected to the new water main, Jim Anderson and Neal DeYoung attended an Emergency Response Plan Workshop, Neal attended a Lake County CDBG application workshop, preliminary results from the survey look promising.

Motion by Trustee Martin, seconded by Trustee Herrmann to approve the PUBLIC WORKS report as presented by Trustee Becker. Upon voice vote, motion was unanimously declared carried.

6. ECONOMIC DEVELOPMENT

Trustee Martin indicated that he had a few items to report in Trustee Huff's absence. New business Subway is open in the Auburn Drive center. Quizno's has a new owner. Crystal Valley RV has been bought out by Freedom Roads in Lincolnshire. Trustee Martin was concerned with the point of sale and spoke to Randy Thompson who insured that the point of sale will remain in Island Lake. The attorneys for Freedom Roads will contact the village attorney regarding the matter. The village has liabilities in regards to the sewer system and bonds. Scott Seger, Barrington Partners, indicated that they are working on concepts for signage and will meet with Frank DeSort to discuss them.

Mayor Amrich indicated that CGI has left a voice mail message for him requesting a time to meet to discuss the informational video for the website.

Motion by Trustee Fleissner, seconded by Trustee Hyde to approve the ECONOMIC DEVELOPMENT report as presented by Trustee Martin. Upon voice vote, motion was unanimously declared carried.

CONSENT AGENDA

Items for approval: October 23 Make a Difference Day Proclamation, American Legion Flag Retirement Ceremony, November 11, Veterans Park and approve the payment of bills as follows: General Fund \$199,216.96, Water Fund \$76,956.66, and Manual Checks: \$9,187.68, for a total of all funds \$285,361.30.

Motion by Trustee Martin, seconded by Trustee Hyde to approve the Consent Agenda Items as presented.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Fleissner, Herrmann, Hyde and Martin
NAYS: None
ABSENT: Trustee Huff
ABSTAIN: None

Motion was declared carried.

AGENDA ITEMS

1. Formation of the Island Lake Bike and Trail Committee:

Trustee Hyde pointed out that the committee is a non-paid position and will serve in an advisory capacity and will work with the Recreation and Parks Department and report to the village board.

Motion by Trustee Hyde, seconded by Trustee Martin to approve the formation of the Island Lake Bike and Trail Committee as presented.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Fleissner, Herrmann, Hyde and Martin
NAYS: None
ABSENT: Trustee Huff
ABSTAIN: None

Motion was declared carried.

2. Ordinance No. 1240-04 Removal of No Parking signs on Clover Road:

Motion by Trustee Martin, seconded by Trustee Becker to approve Ordinance No. 1240-04 Removal of No Parking signs on Clover Road as presented.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Fleissner, Herrmann, Hyde and Martin
NAYS: None
ABSENT: Trustee Huff
ABSTAIN: None

Motion was declared carried.

3. *Falcon Football and Cheerleaders sign at Water Tower Park:*

Motion by Trustee Hyde, seconded by Trustee Herrmann to approve the request from the Falcon Football and Cheerleaders for a sign at Water Tower Park as presented.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Fleissner, Herrmann, Hyde and Martin
NAYS: Trustee Becker
ABSENT: Trustee Huff
ABSTAIN: None*

Motion was declared carried.

4. *Ordinance No. 1241-04 Skiba variation request, lot size and front setback line, 3414 Brierhill Drive:*

Attorney Kim Lewis recapped the variation request and reviewed the findings and recommendations of the Zoning Board of Appeals. The main concern of the Zoning Board of Appeals was that the existing stormwater drain pipe be replaced with an 18" drainage pipe underneath Brierhill Drive to correct the existing drainage problems. They also recommended that the home be built in substantial conformance with the plan presented and that the existing garage be removed. Mr. Lewis indicated that the petitioner is asking the village to consider assistance with the drainage pipe replacement, it is not a requirement. Mayor Amrich asked if any objectors were present. None were present.

Motion by Trustee Hyde, seconded by Trustee Martin to approve Ordinance No. 1241-04 Skiba variation request, 3414 Brierhill Drive, lot size from 10,000 sq ft to 7,260 sq ft and front setback line from 35' to 30', built in substantial conformity to the plans presented, with the installation of an 18" drain pipe under Brierhill Drive and that the existing garage be removed as presented.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker and Hyde
NAYS: Trustees Fleissner, Herrmann and Martin
ABSENT: Trustee Huff
ABSTAIN: None*

Motion was denied.

5. *Maneval Construction Company, CBDG 2003, \$96,789.06:*

Motion by Trustee Martin, seconded by Trustee Becker to approve payment in the amount of \$96,789.06 to Maneval Construction Company for the CDBG 2003 project presented.

Trustee Becker informed the board that this contract will come in approximately \$20,000.00 under budget. They were able to re-use the dirt that was dug out for the installation of the water main which saved a considerable amount of money.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Fleissner, Herrmann, Hyde and Martin
NAYS: None
ABSENT: Trustee Huff
ABSTAIN: None*

Motion was declared carried.

6. *Baron & Budd Legal Services Agreement:*

Mayor Amrich explained the purpose of the agreement is to retain Baron & Budd to represent the village in a suit against the manufacturers of MTBE which is a gasoline additive that has contaminated a couple of our water wells in the Fox River Shores subdivision. Attorney LeSueur reviewed the language changes in the contract as requested by the board during Executive Session on September 9, 2004. The contract reflects the old language and newly inserted language. Trustee Hyde was concerned with

liability issues for the village. Attorney LeSueur explained that the suggested changes were made as discussed in regards to reimbursement should the village withdraw from the lawsuit prematurely. Dave reviewed the remainder of the changes in regards to the release of the firm's copies of village records.

Trustee Martin asked Attorney LeSueur to briefly review the lawsuit for the benefit of the reporters in attendance. Attorney LeSueur reviewed the events leading up to the lawsuit and the purpose of the lawsuit. The basic idea behind the suit is to recover damages from MTBE contamination of the aquifer. This firm has represented various other municipalities and districts and has recouped losses for them in the past. This lawsuit is a multi-district litigation and is consolidated with many other plaintiffs and will be heard by one judge. They have established liability and factual basis in depositions from earlier cases and all of the previous work is available to the village in this case.

Motion by Trustee Martin, seconded by Trustee Herrmann to approve the contract with Baron & Budd, PC for MTBE litigation as presented:

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Fleissner, Herrmann, Hyde and Martin
NAYS: None
ABSENT: Trustee Huff
ABSTAIN: None

Motion was declared carried.

ITEMS FROM THE TRUSTEES AND DEPARTMENT HEADS:

Trustee Hyde:

- Has contacted Tim Murphy, LYAA, in response to a letter and comments received last week from resident Cheryl Dvorchak regarding the signs on the baseball fields at village hall. Mr. Murphy indicated that the signs are purchased by local businesses in support of the baseball program. He will look at alternatives for placement of the signs. Trustee Hyde will contact Mrs. Dvorchak to attend an LYAA meeting in the spring to discuss the matter.
- Last week resident John Meehan asked the board to consider the possibility of a village clock in one of the parks. Trustee Hyde researched the matter and displayed some base type clock possibilities. Costs range from \$7,000.00 to \$25,000.00. An electricity line would need to be installed also.
- The Bike and Trail Committee met October 5 for the first time; they have six members, five showed up for the meeting. They reviewed what happened in the past as far as grant requests and listed items for consideration of the trail system. They will be meeting with representatives from Moraine Hills on October 20 in regards to connecting the system to theirs. They have plans for going east with their trails. They will review the grant process with the committee and assist with the process and will present different types of paths to them. The next Bike and Trail Committee meeting will be October 19 at 7:00pm.

Trustee Martin:

- Results from the IDOT speed limit study on Route 176 from Waters Edge to Greenleaf and River Road to Roberts Road to should be ready in two weeks.
- Lake County will be conducting a second study of the intersection at Roberts Road and Rawson Bridge Drive in regards to traffic back ups during rush hour.

Trustee Herrmann:

- Made it a point to look at the intersection of Eastway Drive, Beech Street and Route 176 after the concerns voiced by resident Donna O'Malley at last week's meeting that the intersection is hazardous. Trustee Herrmann agrees that it is dangerous and asked Chief Bero if there is anything the village can do to notify IDOT. Trustee Martin will contact IDOT to take a look at the problem.
- Scheduled a meeting on October 23 at 8:00am to discuss the proposed ordinance changes presented at last week's committee meeting. The changes were reviewed by Attorney LeSueur, she would like the committee to reconvene to discuss the changes proposed.

Trustee Becker:

- Informed the board that we need to take a look towards the future in regards to the Public Works, Village Hall and Police Department buildings. Plans should be discussed and addresses during the upcoming budget planning for the future. Trustee Martin suggested that when planning to plan for growth in the future and not just for current needs at the time.

Trustee Fleissner:

- Scheduled a Finance & Administrative committee meeting on October 23 at 9:00 am to discuss future expenses for future building plans and growth.

Willie Kootstra commended Kountoupes Painting Company on the great job of repainting the Westridge water tower and Manavel Construction Company for the great job on the CDBG2003 water main project.

Chief Bero informed the board that Radicom has donated office furniture to the Police Department. They will be reconfiguring the offices this winter.

Connie Mascillino informed the board that the first section of the radio antennae tower was installed last weekend thanks to help from Public Works in the site preparation, Terry Younce, EMA Communication Officer, Mike Mascillino and Trustee Martin for the installation of the tower. We are waiting for one more antennae before the tower will be complete.

Connie met with Wally from BuCom to discuss a replacement and coverage program for the sirens. There are solar powered sirens now available. Wally is still gathering facts and will have more information soon.

Trustee Martin asked Chief Bero to have Sergeant Green contact him about the Neighborhood Watch Program. Trustee Martin would like to discuss activating the program with him.

Trustee Hyde informed the board that St. John's Lutheran Church has offered to cover the cost of the installation of a sidewalk at Sheltering Oaks. The Bike and Trail Committee will look at the sidewalk placement options for their first project. Trustee Martin asked that St. John's consider the installation of a sidewalk in front of the church to connect with Water Tower Park. Trustee Hyde will speak to them about the suggestion.

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

John Ponio asked if Baxter & Woodman would be presenting their report on the beach house at Veterans Park next week. Mayor Amrich pointed out that the board would not be meeting next week, the next committee meeting will be October 28 and a report from Kevin Sutherland should be ready by then.

Georgia Re asked what happened to the garage sale sign ordinance. Trustee Herrmann stated that there was not enough time to prepare the ordinance due to the long weekend. The Building, Zoning & Ordinance Committee will meet again to discuss it on October 23 at 8:00am. Mayor Amrich pointed out that if the ordinance is ready a special meeting could be scheduled for October 28 for a vote.

Mike Herrick asked if Veterans Park is closed to the public. Mayor Amrich stated that the park is open, but the beach house is closed.

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

There being no further business, motion by Trustee Fleissner, seconded by Trustee Martin to adjourn the meeting. Upon voice vote, motion was unanimously declared carried. Meeting was adjourned at 9:06 pm.