

MINUTES OF A REGULAR MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 11th DAY OF AUGUST 2005

CALL TO ORDER Mayor Thomas P. Hyde called the meeting to order at 7:33 pm. Those present stood and pledged allegiance to the flag.

ROLL CALL Roll call indicated the following present: Trustees Eberhard Becker, Deborah Herrmann, Thomas Martin and Dan Schmidt.

Also in attendance was Village Attorney Dave LeSueur; Police Chief Don Bero; Frank DeSort, Building Department; Willie Kootstra, Public Works; Connie Mascillino, EMA Director; Bob Carpenter, Lake Management; Kevin Sutherland, Baxter & Woodman; Captain Joseph Arrizzi, Wauconda Fire Department; Karen Luebbers, Recreation Department and Sharon Hyde, Creative Playtime.

CORRESPONDENCE:

None presented.

APPROVAL OF MINUTES

Motion by Trustee Herrmann, properly seconded to approve the July 7th, July 14th, July 28th and August 4th meeting minutes.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Martin and Schmidt

NAYS: None

ABSENT: Trustees Hellman and Fleissner

ABSTAIN: None

Motion was declared carried.

COMMITTEE REPORTS

1. BUILDING, ZONING AND ORDINANCE

Trustee Herrmann read the building report for the month of July. A total of 43 building permits were issued, total building fees \$10,599.94, total water connection fees 590.00. There were 28 permits issued, total electrical compliance inspections \$1400.00, total of 1 rental inspection \$50.00, 5 ordinance violations fees \$175.00 with total fees collected \$12,814.94.

Motion by Trustee Martin, 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 Fleissner was not present at the meeting. The report was tabled.

Motion by Trustee Herrmann, properly seconded to table the FINANCE AND ADMINISTRATIVE report. Upon voice vote, motion was unanimously declared carried.

3. POLICE AND PUBLIC SAFETY

Chief Bero summarized the POLICE AND PUBLIC SAFETY activity report for the month of July. Calls for service totaled 1255, criminal offenses 50, criminal arrests 12, ordinance violations 231, traffic citations 281, accident reports written 18, warrants served 8, p-tickets 137 and warning tickets 29. Total monies received from Lake County \$4886.74, \$9,618.23 year to date, total McHenry County \$8707.50, \$46,096.12 year to date, total p-tickets \$3,521.66, \$8,490.99 year to date, report copies 24 and miscellaneous fees collected \$5437.77.

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

4. PARKS, RECREATION AND EDUCATION

Mayor Hyde presented the report. *Creative Playtime: 131 students enrolled in the 2005-06 classes with 45 openings, total revenue \$6490.94. The teachers will be back August 29, 2005.*

Recreation Department: revenues to date are \$3479.00, Club Program revenue to date is \$7191.00. The Recreation Department Guides are due to be mailed out shortly. August 19th is the last day of classes. The Recreation Department is busily planning the Island Lake 9-11 event for September 11th. Mayor Hyde met with Susan Sijersen the coordinator of the 85 piece Crystal Lake Band. The event will take place at Converse Park at the foot of the sled hill. There will be free bus service provided. Baxter & Woodman is sponsoring the Crystal Lake Band.

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

5. PUBLIC WORKS

Trustee Becker summarized the Public Works report for the month of July: Blacktop and concrete curb repairs continue with work being done on Carriage Hill, Hale Lane and Woodlawn Drive. For the month of July, 37 + tons of blacktop was applied. For the month of July, 6.5 yards of concrete were poured. Numerous trees throughout town are starting to show extreme levels of stress. It was noted that this was due to lack of rainfall and the trees are affected by the drought conditions. The play equipment was power washed at Channel Park. The dead trees at the Public Works shop parking area were taken down. An emergency tree cutting occurred at 176 and Midway. Public Works met with McHenry County Department of Health inspectors at Veterans Park for the beach inspection. Attended, as required, Village Board and Committee Meetings.

Water Department: Nextel completed the installation of three additional antennas on the Fox River Shores water tower. A new voltage monitoring system installed for well #9 during the month of July. Attended a water system planning meeting with Mayor Hyde, William Kootstra, Frank DeSort and Baxter & Woodman. The purpose of the meeting was to discuss future water system capacity needs, review of existing connection fees and proposed developments. CDBG 2004: Thelan Sand and Gravel, Inc. has completed the installation of 2,035 lineal feet of 8 and 6" diameter water main, 29 water service stubs, 4 fire hydrants and 3 water main valves with vaults. Asphalt restoration was completed but not yet accepted by the Village. The water department hand carried letters to all residents explaining the main is in service and water service hookups can and should begin. Thelan has submitted a pay request for \$134,673.97 and Rooney Consulting has recommended payment. CDBG 2003: The mains were installed by Maneval Construction Co. and placed into service during September 2004. To date, ten out of twenty-four residents have completed hook ups to the new water main. The hookup deadline is September 16, 2005. July Operating Report: Total gallons pumped: 22.2 million, average gallons per day: 716.5 thousand and peak day gallons 1.15 million

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

6. ECONOMIC DEVELOPMENT

Mayor Hyde summarized the Economic Development report for the month of June:

Mayor Hyde explained that Jack Whistler is working on a proposed development for the area around McDonalds. The Mayor spoke to Arleen Molder, Arlington Heights Mayor, regarding TIF programs. Arlington Heights has 14 TIFs. The Mayor was contacted by two more developers who are interested in area for an 9 hole golf course as well as a residential development. The Mayor spoke with Baxter and Woodman as well as Neal regarding our current water system, a future water tower, well and filtration system. BT Land has agreed to place a test well within their proposed development to help with future planning of the Island Lake water system and any future water towers.

Motion by Trustee Herrmann, properly seconded to accept the report for ECONOMIC DEVELOPMENT as presented by Mayor Hyde for the month of July. Upon voice vote, motion was unanimously declared carried.

CONSENT AGENDA

Items for approval: approve payment of bills.

Motion by Trustee Becker, properly seconded to accept the consent agenda for month of July. Upon voice vote, motion was unanimously declared carried.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Martin and Schmidt.

NAYS: None

ABSENT: Trustees Hellman and Fleissner

ABSTAIN: None

Motion was declared carried.

AGENDA ITEMS

1. Approval of Waste Management of Illinois-North (SWALCO) contract for 5 years

It was stated that Trustee Fleissner is the lead Trustee working on this contract along with Andy Quiggley of SWALCO. The set price will be \$11.98 per month for unlimited refuse pick up. For yard waste, there will be stickers available for \$1.80 each or unlimited yard waste pick up for 8 months for \$65. Seniors will receive a 10% discount as usual.

Motion by Trustee Martin, properly seconded to approve the Management of Illinois-North (SWALCO) contract for 5 years as presented.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann and Schmidt and Mayor Hyde

NAYS: Trustees Becker and Martin

ABSENT: Trustees Hellman and Fleissner

ABSTAIN: None

Motion was declared carried.

2. Village acquisition of 112 North Circle Drive

Motion by Trustee Herrmann, properly seconded to approve the Village acquisition of 112 North Circle Drive.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann and Schmidt

NAYS: Trustee Martin

ABSENT: Trustees Hellman and Fleissner

ABSTAIN: None

Motion was declared carried.

3 Purchase of new Island Lake Police boat for \$10,760.00

Motion by Trustee Martin, properly seconded to purchase a new Island Lake Police boat for \$10,760.00. Further discussion took place.

Bob Carpenter, of Lake Management, explained that the current boat goes out and the lake is patrolled during the day mostly and they are looking for DNR stickers, Village stickers, etc. The boat is parked at Mr. Carpenter's house or at Jeff Block's house. Mr. Carpenter stated that the old boat has served the Village well for 12 years, the boat does not leak and the motor is pretty good. Mr. Carpenter and Mr.

Block are currently the only two people who man the boat at this time. Mayor Hyde stated as well as Trustee Herrmann that if an approximate schedule could be figured out in the future, more volunteers might come forward. Trustee Herrmann stated that she is concerned with the insurance issues. She added that she would like to see the boat used and readily available to the Police Department as well in the future. Willie Kootstra stated that he has checked into the insurance issue and volunteers are covered by the liability insurance. McMRMA did suggest and recommend training. They are researching further issues such as civil and personal liability and will get back to the Board or Mr. Kootstra. Mr. Carpenter stated that the boat is used about 10 to 20 hours per week. Trustee Herrmann also stated her concern with the Village ordinance with regards to impact fees – what the impact fees are for and include. She stated that she feels that the ordinance would need to be re-written if monies are asked to be used towards the purchase of a new boat for the lake. Mayor Hyde added that he received an email from Trustee Hellman and he is also concerned with the insurance, liability and risk factors. Mayor Hyde added and questioned if this is the correct boat for lake patrol, is this the best boat to use for the Police Department, etc. He added that maybe a pontoon boat would be better suited for the needs of the lake. Mr. Carpenter stated that with a pontoon boat, one could not go under the Island Lake bridge near the East side sewer main. Mayor suggested that maybe the Board consider this purchase and bring this forward again in two weeks at the next meeting. Trustee Schmidt questioned if this needed to go out for bid. Mr. Carpenter stated that Jeff Block is out there looking for the best deals and will continue to do so.

Motion by Trustee Martin, properly seconded to rescind the first motion and made the motion to table this, properly seconded to table the approval to purchase a new Police boat.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Hellman and Fleissner
ABSTAIN: None

Motion was declared carried.

4. Approval to sign School District 15, 118 and 156 hold harmless agreements

Motion by Trustee Herrmann, properly seconded for Mayor Hyde to sign and execute the School District 15, 118 and 156 hold harmless agreements.

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Hellman and Fleissner
ABSTAIN: None

Motion was declared carried.

5. Approval of payment to Thelan Sand & Gravel for \$134,673.97 for the CDBG 2004 completed work

Motion by Trustee Becker, properly seconded to approve the payment to Thelan Sand & Gravel for \$134,673.97 for the CDBG 2004 completed work

Upon roll call, Trustees voted as follows:

AYES: Trustees Becker, Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Hellman and Fleissner
ABSTAIN: None

Motion was declared carried.

6.. *Approval to use a Public Comment Introduction Sheet at Village meetings*

Motion by Trustee Herrmann, properly seconded to use a Public Comment Introduction Sheet at Village meetings.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Herrmann, Martin and Schmidt
NAYS: Trustees Hellman and Fleissner
ABSENT: None
ABSTAIN: None*

7. *Approval of ordinance 1264-05 Emergency Alarm Systems*

Motion by Trustee Martin, properly seconded to approve ordinance 1264-05 Emergency Alarm Systems

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Hellman and Fleissner
ABSTAIN: None*

Motion was declared carried.

8. *Approval of ordinance 1265-05 Setting the Minimum Fine Amounts for the Offense of Driving without a Valid Safety Sticker*

Motion by Trustee Martin, properly seconded to approve ordinance 1265-05 Setting the Minimum Fine Amounts for the Offense of Driving without a Valid Safety Sticker

Upon roll call, Trustees voted as follows:

*AYES: Trustees Becker, Herrmann, Martin and Schmidt
NAYS: None
ABSENT: Trustees Hellman and Fleissner
ABSTAIN: None*

Motion was declared carried.

ITEMS FROM THE MAYOR

- *Mayor Hyde will attend the Mayor's Caucus on September 9th and 10th. 280 Mayors will be attending.*
- *Mayor Hyde sent out to the Trustees information regarding Boundary Agreements. He is looking for the Boards opinion.*
- *Mayor Hyde received notice from Public Works and forwarded onto Trustee Fleissner that due to the significant increase in gasoline prices, the originally budgeted amounts for gasoline expenses will probably exceed the budgeted amount.*
- *Mayor Hyde provided the Board members with a copy of the most recent letter regarding MTBEs*
- *Mayor Hyde provided a copy of a letter that he received from Donna who resides on Tulip Circle. She is concerned that people could go through the guard rail. There was a recent accident in that area a couple of days ago. Public Works and the Police Department were also given a copy of the letter and will check into the possibility of a yield sign, etc., placed in that area.*
- *The Village received a bid from Prate regarding the gutters for the Beach House. They are the only company that will bid on this project. The bid is for \$3425 for the complete gutter system for the building.*

- Clerk Kaczmarek will pass out a Purchase Order to the Board Members for their signatures in order to use Ancel, Glink to represent the Village with the unemployment hearings with a past Village employee.
- Carriage Hill name change is still in process. Wolfgang Neumeier spoke with the assessor's office as well as is working with the post office for approval.
- Mr. Babbey, of the VFW, is working on a visual area that will lead up to the helicopter allowing for viewing of the interior of the helicopter. A high platform is approximately \$1100 to \$1200 and a lower platform is approximately \$700 to \$800. 4 to 5 steps needs to be considered. The VFW will pay for the costs of the platform. Trustee Becker stated that he would like to see a picture of the platform.
- Mayor Hyde received a letter from a concerned resident regarding the Village website. Trustee Fleissner was notified to take care of these issues.
- The Island Lake Police Department received a grant check for \$13,500 for the installation of video cameras into certain police vehicles.
- Eagle Scout, Steven, is working on developing a music and entertainment area near the Beach House and will present this to the Board in the future.
- Mayor Hyde was contacted about a website, www.digitalpast.org. There is over 300 pages of Island Lake history already on this site.
- Mayor Hyde stated that he was notified of a problem with the Ford F350. Trustee Becker stated that he was also informed of this matter. Bolts are loose in the exhaust system and Ford is looking to replace and repair the bolts as they are under warranty.

ITEMS FROM THE TRUSTEES AND DEPARTMENT HEADS:

Trustee Becker stated that copies were placed in his mailbox, some personal and confidential, that were not copied correctly as there were duplicates of certain pages. He asked that whoever is making copies and/or packets pay special attention to this matter.

Trustee Schmidt stated that he approved the garbage contract and thinks that it is a good contract; however, he would like Mayor Hyde and/or Trustee Fleissner to provide a much further, in-depth explanation of each part of the contract with cost comparisons, price structures, etc. He stated to Mr. Carpenter that he is all in favor of a private pier going in at Eastway Park someday just to house the Island Lake Police boat as there would be better as well as easier access to the boat for the Police and volunteers involved. Trustee Schmidt told Mr. Kootstra that the elephant at Channel Park is broken and needs to be fixed. Mr. Kootstra said he would look into it. Trustee Schmidt stated to Mayor Hyde that when it comes to boundary agreements, he hopes that if Island Lake ever needs to ask neighboring communities for assistance, that everyone will cooperate. Mayor Hyde replied that he wanted to point out concerns that can come up with border agreements.

Kevin Sutherland of Baxter & Woodman stated that FIMA is working on the flood plain maps. McHenry County is being worked on now and Lake County is next. He stated that a list of flood plain areas will be sent to the Village for verification. He added that FIMAs records are normally only 40% correct and that the Village actually has very complete, accurate records. Mr. Sutherland stated that many changes to the flood plain areas will not necessarily be reflected in the new, updated maps. Baxter & Woodman will talk to FIMA to see what they will do and how they will handle these situations when and if a change does not show up on the map when someone is attempting to purchase a house or piece of property in these areas. Hopefully homeowners can come to the Village to verify the information and to show proof that they do not need flood plain insurance.

Willie Kootstra stated that he has a meeting with John Ambrose of Baxter & Woodman next week.

Captain Arrizzi asked that when and if the Carriage Hill Road changes go through, that the Fire Department also be notified right away. Mayor Hyde stated that this will be voted on at a future date. Trustee Herrmann added that a petition is supposed to also be completed by Wolfgang and presented to the Board. Attorney Dave LeSueur stated that this matter will probably be a resolution that the Village Board will have to vote on vs. a motion.

Chief Bero stated that the Police Department received the grant money for the video cameras which are to be installed in the Police vehicles.

Bob Carpenter stated that himself and Jeff Block will continue to look at Police boat options and will get back to the Board at a later date.

Connie Mascillino stated that the new siren is on order. She added that the siren in the Shores has been out for three months. She had made arrangements with Bucom to hook the siren up to their equipment next time so a real picture of what is happening can be determined. Ms. Mascillino said that at the Lake County mitigation meeting all the documents are in and that there should be a rough draft on their website soon. She added that the Village has 12 to 14 weeks before the Village has to pass a resolution to be included. Mayor Hyde asked Ms. Mascillino to go over this information completely with the Board when she is prepared to do so. Ms. Mascillino stated that out of 33 communities, only 13 have their documents in and Island Lake is one of them. She added that Island Lake was one of the only Villages that also had a section on what to do with displaced animals in an emergency. Ms. Mascillino told the Board that many of the EMAs were certified in Search and Rescue. They are now certified to conduct day as well as nighttime searches. 6 EMAs are now certified. She mentioned that Venetian Night is still planned for September 10, 2005 and that the theme is Halloween. Ms. Mascillino explained that they will anchor at the edge of Eastway Park to be safer for everyone participating. The Board approved for her to place a sign on the Island to advertise this event. Ms. Mascillino inquired if the Mayor had an opportunity to review the Historical Society proposal. He stated that he would like to talk to the Board as well as Connie.

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

Joe Babbey, , 3426 Locust, told the Board that the VFW very much so would like to participate in the 9-11 event with a presentation of the colors as well as a military ammunition salute. Mayor Hyde said that he would work with Mr. Babbey and the VFW in their participation. He added that a large handicapped area will be provided for the event.

Tom Kaczmarek, 703 Fox Trail, mentioned that the Board, at the last meeting, would like to see the videotape involving the Mr. Kootstra and Mr. Ponio matter. Mr. Kaczmarek stated that the charges have now been dropped. Mr. Kaczmarek stated that Trustee Martin, without even seeing the videotape, already got defensive and questioned the validity of the videotape and in essence, his integrity. He added that the videotape was subpoenaed by the States Attorney and was forwarded to them via Mr. Kaczmarek's attorney. The Judge as well as the States Attorney both accepted that copy of the videotape. They viewed the videotape and the case was dropped against the Village employee. Mr. Kaczmarek has contacted several agencies to have this videotape authenticated. He stated that he would do this in return if Mr. Martin would agree to take a polygraph test that would validate what he wrote on his statement and will coincide with what is on the videotape. Mr. Kaczmarek added that all he does is videotape meetings. He was not asked to complete a statement. He added that unfortunately someone was arrested and was put in an embarrassing situation and he feels that this individual could have been wrongly prosecuted if the videotape had not come forward. Mr. Kaczmarek stated that before anyone questions his integrity again, they should watch the videotape and read the statements.

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

Motion by Trustee Martin, properly seconded to adjourn the meeting at 9:30 pm.

Motion was declared carried.

No further business was discussed.