

MINUTES OF A REGULAR BOARD MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 13th DAY OF MARCH 2008

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

ROLL CALL Roll call indicated the following present: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio.

Also in attendance was: Village Attorney Julie Tappendorf, Ancel Glink and Captain Joseph Arrizzi and Connie Mascillino, EMA Director.

Consent Agenda

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

1. Approval to pay the bills
2. Approval of Minutes – February 7, February 14 and February 28, 2008
3. Approval of Committee Reports:
 1. Building, Zoning & Ordinance
 2. Finance & Administrative
 3. Police & Public Safety
 4. Parks, Recreation & Education
 5. Public Works
 6. Economic Development
3. Approval of Camp Duncan's Annual Tag Day on Saturday, May 31, 2008 and Saturday, June 7, 2008 at the corners of Eastway and 176 and River Road and 176
4. Approval of Salvation Army "Donut Days" May 9th to June 7th
5. Approval of Salvation Army "Red Kettle" Campaign November 21st to December 24th
6. Approval for Lioness Club and Lions Club use of the fields adjacent to Village Hall, police personnel for traffic control and \$100 donation from the Village of Island Lake for the Annual Al Schmidt Easter Egg Hunt March 15th
7. Approval of Camp Fire USA Illinois Prairie Council fundraising sale March 10th through April 1st
8. Approval of Island Lake Area Chamber of Commerce Spring Carnival May 11th through May 19th and approval to use Water Tower Park and to have the event posted on the Village marquee May 1st through May 18th

Motion by Trustee Herrmann, properly seconded to remove the meeting minutes from the Consent Agenda as they are not supposed to be included within the Consent Agenda. Upon voice vote, all in favor.

Motion by Trustee Saville, properly seconded to remove number 8 from the Consent Agenda. Upon voice vote, all in favor.

Trustee Ponio had 3 payment of the bills concerns and he explained as follows: On page 7, reference number 150 (Lisa, ESQ.) in the amount of \$2433.05 and on Page 10, Magna and Associates for \$2193.75 reference number 53. None of the Board Members appeared to know who and what these attorney bills were for. Trustee Herrmann stated that she will discuss with John Little, for the future, to elaborate more in the description so the Board is clear. She said that she is sure that these are legitimate bills as John Little would never have placed them on the bill sheet. Trustee Ponio replied that he can not pay these bills in good faith without knowing who are they and what this is for. Trustee Ponio said that he also has an issue with reference number 23, 27 and 29 Baxter and Woodman, page 1, water supply well number 10. He would like to vote on this separately as well. He does not feel it is proper to vote on something that is in the middle of litigation. Trustee Garling replied that Trustee Ponio is making a protest. Trustee Ponio said that he does not want to spend money when something is in litigation. Mayor Hyde replied that there is no litigation over this whole issue and that he wants Trustee Ponio to be correct in his thinking. Trustee Ponio replied that he does not want to vote on this. Mayor Hyde said that these are expenses that are already spent.

Motion by Trustee Ponio, properly seconded to remove reference numbers 150, 53, 23, 27 and 29 from the Consent Agenda and vote on them separately. Upon voice vote, all in favor.

The Board Members discussed reference numbers 150 and 53. Trustee Sadoski stated that she too would like to see a clear definition. Trustee Herrmann asked the Board Members though if they would like their paychecks held up like this. She said that the Villages Finance Director makes decisions, financial decision, daily for the Village and that he would not have put this on the bill sheet if it didn't belong there. She did not agree to pull these two items. Trustee Ponio expressed again that the Board is limited to their review time of these bills before voting on them and that there is not enough information present tonight to vote on these two items. Trustee Saville said that some of these bills are out of the norm and further explanation is needed.

Motion by Trustee Saville, properly seconded to remove item numbers 150 and 53 from the bill sheet.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Ponio, Sadoski and Saville
NAYS: Trustee Herrmann and Verciglio
ABSENT: None
ABSTAIN: None*

Motion was declared carried.

Motion by Trustee Herrmann, properly seconded to approve reference numbers 23, 27 and 29 to Baxter & Woodman.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio
NAYS: Trustee Ponio
ABSENT: None
ABSTAIN: None*

Motion was declared carried.

Motion by Trustee Herrmann, properly seconded to approve the Consent Agenda.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried.

Agenda

1. Approval of ordinance 1326-08 amendment to Village water system – Trustee Saville

Trustee Saville stated that on February 7, 2008, the Board Members met with various Department Heads and agreed that they would be providing more much needed support to the Department Heads. Two days after, on February 14th, Neal DeYoung requested an ordinance change to assure safe water and eliminate grey areas from the Village ordinance. Trustee Saville questioned what message this sent to Neal DeYoung when the Board Members voted down the suggested ordinance change. Trustee Herrmann replied that she did not agree with the changes and does not agree where the Board is not allowed to waive certain things when it comes to private water supplies that some residents have. Trustee Saville replied that he can understand that; however, he feels it is better to have a positive area where everything is very clear. He added that the ordinance is too grey and if someone has a complaint, it would be better then for that person to come forward and speak to the Board if they wish. He said that this will ultimately protect the Village water system. He said that this would start a good situation where the Board is putting into place procedure and process. Trustee Ponio replied that what he does not necessarily agree with everything within this ordinance.

Trustee Saville replied that the ordinance reads that if one lives within 450 feet of a well, and is not on the SSA, that they have to hook up and their well has to be capped and properly sealed. Trustee Ponio agreed, if you hook up to the Village water system, that persons well should be capped but what he does not agree with is, if someone is on a well currently, they shouldn't have to hook up. Trustee Saville replied that the ordinance is what it is and it says 450 feet and that the ordinance has been on the books for a period of time already. He feels that there is static with this matter due to people knowing others that are on wells and the SSA1. Trustee Saville said many are not on the public water system and they should be. Trustee Herrmann said that some are on both. Trustee Saville replied, yes, there are 9. Trustee Herrmann said that those 9 have not come before the Board and questioned if they have asked for a waive. Trustee Saville replied that that is correct. He added that Mr. Mulligan is an example. The past Board gave Mr. Mulligano 6 months and then 6 months went into a year because some employees were intimidated and told not to bother the residents. He said that this matter was brought up in the past as well, it's in meeting minutes, that the Village ordinance has been on the books for years. Trustee Saville said that he was elected to uphold the Village ordinances and that he is only defending the Water Department. Trustee Verciglio replied that in ordinance 4-5-1 it states that the Village will give notice to install a backflow device. Trustee Saville asked who will check on this though. Trustee Verciglio asked who has this device on his/her well and Trustee Saville replied 1 only. Trustee Ponio questioned if this should be enforced by the Building Department and/or Water Department. Trustee Garling added that he feels that the ordinance is strong as it is. He said that though someone has to make sure that the inspections are being done then. Trustee Garling replied that he was in those meetings too and the gentleman was told to cap his well and if he didn't, someone isn't doing their job.

Motion by Trustee Saville, properly seconded to approve ordinance 1326-08 amendment to Village water system.

Upon roll call, Trustees voted as follows:

AYES: Trustees Saville

NAYS: Trustee Garling, Herrmann, Ponio, Sadoski and Verciglio

ABSENT: None

ABSTAIN: None

Motion was declared failed.

2. Discussion and approval of fireworks with New Horizon for the Village 2008 LakeFest – Trustee Verciglio

Motion by Trustee Verciglio, properly seconded to approve fireworks with New Horizon for the Village 2008.

Trustee Verciglio reported that they are considering Lake Fest this year for July 12th and the cost of the fireworks is \$14,900 approximately. Trustee Herrmann replied that the Village budget though has many areas and many numbers that need a lot of reworking and readjusting. She recommended to the Finance Director that the fireworks be placed on hold at this time. She recommended not approving them in lieu of balancing the budget. Trustee Verciglio stated though that the Village has to let the company know and reserve this or the Village will loose out as well as the Rec. Department is getting into publication time and they need to know whether or not to promote this.

Motion by Trustee Verciglio, properly seconded to amend his motion and motion to table item number 2, properly seconded.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was declared carried.

3. *Approval of Historical Society Preservation Resolution – Trustee Herrmann*

Motion by Trustee Herrmann, properly seconded to approve the Historical Society Preservation Resolution.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried.

4. *Approval for the Village Clerk to move and store, off-site, Village original records/ordinances at an amount of \$50 per month at Access Information located in Waukegan, Illinois*

Trustee Herrmann felt that this matter should be further discussed during the budget meetings as to which direction to go. Clerk Kaczmarek stated that the problem she sees, and is experiencing now, is that as the Village gets closer to the summer months and summer projects, Department Heads tend to request review of certain of files, etc., and that it would be difficult to constantly be going to Waukegan in order to obtain the needed files. She suggested once again that fire proof/water proof cabinets are probably still the best route to go as the files would be protected as well as close by for easy access.

Motion by Trustee Garling, properly seconded to table item number 4.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried

5. *Approval to temporarily appoint Frank DeSort as the Chair of the Lake Management Committee – Mayor Hyde*

Trustee Ponio questioned what temporary means. Mayor Hyde replied that Mr. DeSort does not want a date on this. Trustee Saville said that Mr. DeSort agreed to at least 6 months.

Motion by Trustee Garling, properly seconded to approve the temporary appointment of Frank DeSort as the Chair of the Lake Management Committee.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried

6. *Approval of Alcohol Awareness Month for April Proclamation – Mayor Hyde/Chief Fellmann*

Motion by Trustee Garling, properly seconded to approve the Alcohol Awareness Month for April Proclamation.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried

7. *Approval of 2008 MFT General Maintenance Agreement with Baxter & Woodman – Trustee Saville*

Motion by Trustee Saville, properly seconded to approve the 2008 MFT General Maintenance Agreement with Baxter & Woodman.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried

8. *Approval of Baxter & Woodman CDBG liquidation of damages contract – Trustee Saville*

Motion by Trustee Saville, properly seconded to approve the Baxter & Woodman CDBG liquidation of damages contract.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None*

Motion was declared carried

9. *Approval of 3D Bowl/Sideouts Bar & Eatery AA liquor license being issued to JD3 Entertainment, Inc.*

Mayor Hyde stated that he passed out the meeting minutes and all the information from the Liquor Commission which met to the Board Members prior to the meeting. He pointed out that Jerry was in the audience this evening as well as Chuck Cermak from the Liquor Commission. He said that Jerry is taking over his fathers business that has been in town for many years. Mayor Hyde said, that as you look through the application and information, the Liquor Commission voted unanimously in favor of the liquor license and all documents were presented. He explained that it was requested that approval be given pending the receipt of the fingerprinting test which is still out. The results are not back yet. Chuck Cermack said that they are looking for a new license, not a renewal license. Mayor Hyde said this is a AA liquor license application and Mayor Hyde read the Village ordinance/explanation of a AA liquor license.

Motion by Trustee Garling, properly seconded to approve to issue a AA Liquor License to JD3 Entertainment, Inc. for 3D Bowl/Sideouts Bar & Eatery.

Trustee Herrmann stated that the Village will need the surrender of the current license of 3D Bowl. Mayor Hyde said that that is correct as the Village only issues a certain number of licenses in each category. He said that the current business is being sold and that the current owner would be submitting the current license back to the Village which would mean that a AA license will be opening up and the next owner in line would then be eligible to receive that license. Mayor Hyde said that the number of licenses is not changing then. Mayor Hyde said that this is not a transfer and it is a brand new license. Trustee Saville said that this is a catch 22 for him because of having Mr. DeLaurentis receiving a license that is within arms length of the current license. He said that the Board has now heard Mayor Hyde's synopsis of the events and he would like to go on record mentioning certain events. He feels that the licenses are connected as they are being transferred from one to the other and at arms length. Mayor Hyde said though, that the Board has the understanding that the current license has to be surrendered before the new license is issued. Trustee Saville said though that the license has to be in good order. He questioned if the current license though is not in good standing. Mayor Hyde replied that that has no bearing on this matter right now and the Board is looking at a new license and that this has nothing to do with the current license and that the current license is being given back to the Village allowing them to issue then this license. Trustee Saville asked when that license will be returned and Mayor Hyde replied that it will be returned before the new one is issued, he would assume. Jerry DeLaurentis III spoke out asking why the current license is not in good standing. Trustee Saville replied that for the reasons that himself and Mr. DeLaurentis had spoken about the other evening. Mr. DeLaurentis stated that that is a separate piece of property that has nothing to do with this. Trustee Saville said that according to the Village ordinance that is not correct. Mr. DeLaurentis said that is owned by a separate sold proprietorship, the property and the business. He added that the business across the street is also owned by a separate sole proprietorship. Mr. DeLaurentis said the liquor license therefore is in good standing and that maybe the liquor license holder has a separate issue on another piece of land but that has nothing to do with this piece of property and the liquor license. Mr. DeLaurentis challenged Trustee Saville as to why the license is not in good standing. Trustee Saville said that according to the ordinance, even if someone has the license at this particular point, one can not be indebted to the Village. It is under ordinance 5-5-3 P. The license is not in good standing is someone owes money to the Village. Trustee Herrmann asked to review the ordinance book that Trustee Saville had. Trustee Herrmann felt that it does not make the liquor license not in good standing and that it has nothing to do with this. Mr. DeLaurentis spoke out again standing that this is not the truth and that the license is in good standing. He said that Trustee Saville is making a mistake. Trustee Saville once again referred to the Village ordinance. He said that whatever the owner has, and owns, and if he/she is indebted to the Village, it affects the license and jeopardizes the license. Trustee Saville replied that on April 20, 2006, at a Village Board Meeting, the Grape Vine owned the Village money/\$450 and the liquor license was held until the matter was resolved. They had an ordinance violation. Mr. DeLaurentis said that that is different. Mayor Hyde stepped in and explained that this is a new liquor license on a business and that this new liquor license is no way affected by the other liquor license. Trustee Saville replied that Mr. DeLaurentis Jr. liquor license is up at the end of April, he has not surrendered that license yet so, what if let's say "Harris Jones" was waiting in the wings for such a liquor license to open up and he was not given an opportunity to be eligible as well for such a license. Mayor Hyde said the Board has been presented with an application for consideration and he does not think something else can be brought into this that is not related to it. Trustee Saville said that the DeLaurentis family is to be credited for such a long standing family business and that this has nothing to do with them and that he was just under the impression that this is being transferred. Mayor Hyde said this is not being transferred. Trustee Saville asked though why the Village is jumping the gun instead of waiting until the license is properly surrendered to the Village first. Trustee Garling replied that the license will be surrendered and that Mr. DeLaurentis has fulfilled all the requirements. Mayor Hyde said that the paperwork is complete, the business was checked and there have been no problems and they meet all the requirements. He said there is a motion to approve it and a second on the table.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Sadoski and Verciglio
NAYS: Trustee Saville
ABSENT: None
ABSTAIN: Trustee Ponio

Motion was declared carried

10. Approval of contract for John Fellmann, Chief of Police – Trustee Sadoski

Trustee Sadoski said that she asked the Clerk to give everyone a copy of the contract. The Chief has seen the contract as well. Trustee Herrmann stated that her views have not changed. She said that the contract once again is vague. The salary is not budgeted either. Trustee Herrmann said that the deficit that the Village is current in is even coming from that department and that nothing has changed in over a year.

Trustee Ponio stated that Mayor Hyde has announced on several occasions that as long as he is the Mayor, the Chief will stay the Chief, and that he will not be running for re-election so possibly everything should just be staying status quo.

Motion by Trustee Sadoski, properly seconded to approve a contract for John Fellmann, Chief of Police.

Upon roll call, Trustees voted as follows:

AYES: Trustees Verciglio and Sadoski
NAYS: Trustee Garling, Herrmann, Ponio and Saville
ABSENT: None
ABSTAIN: None

Motion was declared denied.

11. Discussion of ordinance 1319-07 deposit and reimbursement – Trustee Saville

Trustee Saville explained that there are individuals that owe the Village money and have owed the Village for some time. Many pertain to developers. He said that the reason that this ordinance was made up was to put some teeth into these matters and so that there is enough money in escrow to cover money owed. Trustee Saville spoke to John Little and he explained that they send out letters when these escrow accounts need to be replenished. He said that there are several people that just refuse to pay. He asked how the Board would feel about putting liens then against these developers, etc. Trustee Saville said that the Village was made promises and promises are not being kept and he does not want the taxpayers to end up paying for this. Trustee Herrmann said that these are unpaid fees and that she has obtained a list but she does not have it this evening. After reviewing the list, the majority are 30 to 60 days old. Some are 90 days old. She said that John Little does not see this as a problem as they are individuals that work with the Village. John feels that they are not a threat in terms of collection. He is following process on trying to collect. Trustee Herrmann feels that lien-ing some of these would cost more than just trying to collect them. She does not feel either that these are a problem in collecting. Trustee Saville questioned then why Ancel Glink and Baxter & Woodman are concerned then. He would like to see everyone playing by the rules. Trustee Saville replied that he agrees with some of this but not with everything after speaking with John Little. Trustee Garling said that this is despicable that these people owe the Village money and after that amount of time. He said that maybe the Village should be requiring a higher balance to have in escrow. He added too though that he does not see within the ordinance the ability for the Village to put a lien on these people. Trustee Saville replied that he is just offering a suggesting and merely bringing this up to the Board for discussion.

12. Discussion of ordinance 9-1-6-C – Trustee Ponio

Attorney Tappendorf stated that everyone received a copy of the memo from Attorney Puma. Trustee Ponio commented though, that one could find case law too completely on the other side. Attorney Tappendorf said if the Village were home rule, it would maybe be different. She said that the case presented is almost identical to the current situation that the Village is dealing with. The 3/4ths vote is illegal and can not be enforced. Attorney Tappendorf stated, from the case law, it clearly states that you can not change the normal vote requirements which is a majority vote. Trustee Ponio questioned then, anything that was passed in the Village with a ¾ vote since the 1970s, is incorrect. Attorney Tappendorf explained that one has to challenge it within 90 days though so it would not be valid now. Trustee Ponio said that the response from the firm, that the actual lawsuit brought against the Village, said that in effect that the ordinance that the Board voted to change, was invalid. Then the Board voted to change an ordinance which the Attorney said was invalid so he questioned why then the Board voted to change an ordinance if that ordinance was invalid in the first place. He added that there is now another ordinance on the books that clearly states that a ¾ majority vote is required and

so now another ordinance is being thrown out in order to justify changing the ordinance that Attorneys are saying was invalid anyway. Mayor Hyde said that Trustee Ponio has been against the Board on this matter anyway in general as it relates to the water tower. Trustee Ponio commented that what he is against is the process in which the Board authorized the funds to put the well/tower where it is and not following the ordinance. He said he is not against the water tower but rather the process that was followed. Mayor Hyde said that the Board approved the fact to move forward on this project. He said that Trustee Ponio has done everything negative on this matter as possible. Mayor Hyde said he does not understand where Trustee Ponio is going. Mayor Hyde said it is clear that the ordinance on the books, for a majority vote, is illegal and does not fit state statute and the Village Attorney has told the Board this. He feels it is cut and dry. Trustee Ponio commented that the ordinance is 32 years old yet the Board wants to change it when they want a particular vote to go in their direction. Trustee Garling said that the ordinance is illegal and is not proper. Trustee Saville commented that what is upsetting to him is the fact an ordinance is being used to the Village's advantage he is really uncomfortable with that. When the vote was taken no one mentioned this until they thought there might be a problem. He said if it's wrong, the Board should fix it and change it and make it right. Trustee Ponio said that it was Attorney Tappendorf that said that a $\frac{3}{4}$ vote was required. She told the Plan Commission that a $\frac{3}{4}$ vote was required. Attorney Tappendorf said that at the meeting, there was a question, and she read the statute. She then checked afterward and did some further research and therefore her firm, recommended to fix the ordinance. Attorney Tappendorf said, per state law, it requires a majority vote to pass on this type of matter. If someone challenges this, it can be heard before a judge. Trustee Ponio mentioned the lawsuit and Mayor Hyde suggested that further discussion belongs in executive session. Trustee Ponio feels that the Village Board is talking out both sides of their mouth with this matter.

Trustee Verciglio mentioned that the Board earlier had removed the meeting minutes from the Consent Agenda; however, they never took a vote.

Motion by Trustee Herrmann, properly seconded to approve the February 7, February 14 and February 28, 2008 meeting minutes.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried.

Trustee Saville pointed out that they also did not vote on the use of the Village marquee sign. It has been stated before that the Village marquee is to only be used for Village events. Mayor Hyde said that the schools use it to. Trustee Herrmann said that they also have approved usage for not for profits if a request is submitted to the Board.

Motion by Trustee Garling, properly seconded to approve the use of the Village marquee to advertise the carnival event.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Ponio, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: None
ABSTAIN: None

Motion was declared carried.

Items from the Village Clerk, Trustees and Department Heads

- *Trustee Verciglio inquired about the status on the final plat for Covered Bridge subdivision. None of the Board Members are aware of where it is at in the process.*
- *Trustee Verciglio requested executive session for land acquisition*
- *Trustee Herrmann stated that John Little is still working on dropping numbers into the budget. Water Department and Police Department have to work on there areas yet too. A budget meeting was set for March 24th at 7 pm.*
- *Trustee Herrmann requested executive session for personnel.*
- *Trustee Garling stated that he has sat down with Attorney Kaiser and Mr. and Mrs. Hufman regarding their plans. They would like to make a presentation to the Board again in April.*
- *Trustee Garling reported that 250 light bulbs will be arrived at Village Hall from the Lake County Municipal League. He is hoping to work with the school on Earth Day.*
- *Trustee Ponio offered his objection to the CFL light bulbs. He has researched them and has found that there is mercury in them and that they are toxic. He said that disposal of the bulbs is also not quite understood as they are considered hazardous waste.*
- *Trustee Ponio mentioned the emails regarding the land swamp. He said that the Village has been told for some time already that it would be completed by now; however, it is still not done. He said that Mayor Hyde sent an email to Mr. DeSort and Mr. Kootstra anyway telling them to move forward yet not all the paperwork is in place. Mayor Hyde replied that the plat is being worked on and that the Board has stated that they feel it is important to keep moving. Trustee Saville opposed moving forward as everything is not in place and that the matter should be completely resolved before anything else is done. Mayor Hyde said that the Village won't have an AutoZone then as they only have 120 days. Trustee Ponio said not all the paperwork is in place though and that the Village is being told by the Attorney not to move forward until all the paperwork is done. Mayor Hyde said that the Village is being told though that the paperwork is being worked on and completed. Mayor Hyde feels that this issue will be taken care of by both parties and that there is commitment on both sides. He does not want to shove anyone off especially when they only have 120 days. He said that understands that there are principles there; however, Mayor Hyde said there are two important issues here: one, Island Lake will get a good, solid business and two, this problem is just a matter of finalizing the documents and everyone has agreed to do so and it will get done. Trustee Ponio said though, in emails, it was stated the paperwork would be done and it is still not and it's the middle of March already. Trustee Saville said that there is an ordinance on this and it needs to be followed. He welcomed Mayor Hyde to break the ordinances if he wishes but he does not support this as the Village is not following the ordinances then. Trustee Saville recommended that the rules be followed and the ordinances be followed. Mayor Hyde said that he will 100% not touch this matter again and he will not make another move with business and development until Trustee Saville approves it. Mayor Hyde said nothing more will be done. Mayor Hyde said that something was said last night. There was a meeting with ZBA and Plan Commission and they said the biggest difference between politics and Island Lake, on the before scene, was the Trustees felt positive and Island Lake was most important thing to the Board Members and he is not feeling this lately nor has the ZBA and Plan Commission. Mayor Hyde feels there is more negativity towards the Village and what is going on than ever before. He said this is a perfect example, with Auto Zone, of taking something positive and throwing stuff at it. Trustee Saville said the rules are the rules and all need to abide by them.*
- *Trustee Saville requested executive session for personnel.*

Items from the Mayor

- *Mayor Hyde reported that FEMA turned down Lake County for flood concerns and funding.*
- *Mayor Hyde said there is a memo regarding 3515 on another foreclosure. The Attorney is to review the matter.*
- *Easter Egg Hunt is Saturday at 10 am at Village Hall.*
- *The Dispatching Contract with Port Barrington is being discussed and worked on. The Chief is working on finalizing it as well as it will go to legal for review.*

Public Comment Any person wishing to address the Village Board must be recognized by the Mayor and provide their name and address for the record.

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

Tom Kaczmarek, 703 Fox Trail: Mr. Kaczmarek qusted why AutoZone only has 120 days. Mayor Hyde said that that's their program and that that's what he was told. Mr. Kaczmarek stated that they would be hard pressed, in many Village's, to get something like this done so quickly. Mr. Kaczmarek stated that he goes to meeting after meeting and sees stuff every meeting getting twisted around. He said that the last Village Attorney left too much grey area for this Village. He said no boundaries were set and there is now even more confusion at every meeting. Mr. Kaczmarek suggested that the Board follow procedures and the ordinances.

Celeste of Porten's subdivision reported the situation with dogs in Vista Park. She said that dogs are being left off of leashes and they are being allowed to run loose in the park and in-between the houses.

Greg Kachka, 3221 Hyacinth Terrace: Mr. Kachka asked the Village Attorney how much time and money she has spent researching items after the fact. He said that she read the ordinance and researched the matter after the fact. Mayor Hyde suggested that Mr. Kachka file a FOIA as Ms. Tappendorf does not have the exact figures with her this evening.

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

Motion by Trustee Verciglio, properly seconded to extend the time of the meeting as it is now past 10 pm. All in favor.

Motion by Trustee Garling, properly seconded to adjourn to executive session. All in favor.

Motion by Trustee Herrmann, properly seconded to adjourn executive session and return to the Board meeting. All in favor.

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

Meeting adjourned at 10:50 pm.

Christine Kaczmarek, Village Clerk