

VILLAGE BOARD COMMITTEE MEETING
THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE
May 1, 2008 7:30 pm

CALL TO ORDER Mayor Thomas P. Hyde called the meeting to order at 7:30 pm.

ROLL CALL Roll call indicated the following present: Trustees Garling, Herrmann, Ponio, Saville and Verciglio. Present: Anthony Scarrione, Island Lake Police Department. Absent: Clerk Kaczmarek. Trustee Herrmann audio taped the meeting in the Clerks absence.

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

Agenda

1. Discussion and consensus regarding supporting IDOT to move forward with right-in, right out traffic control on Route 176 for traffic to flow safely in and out of local businesses

Trustee Garling stated that the Board has discussed this for several weeks now. He said that this would make it safer for people to use businesses on Route 176 in right in's and right out's. This would help with bringing businesses too to Island Lake. Trustee Ponio commented though that there is a Village ordinance against this. Limiting access is to help the flow of traffic stated in the ordinance. Trustee Ponio read the ordinance out loud. He added that somewhere in the past, someone felt the need to pass this ordinance and that the Village should be following its ordinances. Mayor Hyde explained that there a number of businesses that would like to come into the Village; however, there is a request for right in's and right out's on to 176. They otherwise will not come into the Village. Chase Bank is looking at coming into the Village along with a shopping center next to it. They need this access. Dairy Queen would look to move there as all. Mayor Hyde said a new Shell gas station is looking at Island Lake as well. They are all looking for right in's and right out's. Starbucks has also entertained coming to Island Lake. Mayor Hyde said that by voting against this, one is saying good bye to these businesses by not supporting their needs. Trustee Ponio said though there is an ordinance on the books and the Village should follow its own ordinances. Trustee Garling replied that since there is an ordinance on the books, and that Trustee Ponio is correct that the Village needs to follow its ordinances, he suggested that the Board re-work the ordinance to accommodate these businesses and ultimately benefit the Village. Trustee Ponio replied that that's the purpose of these frontage streets, to allow access to businesses. Trustee Garling said that there is not much room for frontage streets in all these areas though. He said that the Board has to figure out a way to best determine how to best serve the Village and sometimes laws just need to be changed. Trustee Ponio questioned though if they are servicing the businesses or the residents. Trustee Garling said both – providing jobs, tax dollars, place to shop in town, etc. Trustee Ponio replied so, there is an ice cream place, gas station and a coffee shop. Mayor Hyde said there's a bank and a Starbucks too. Trustee Garling replied that the Board should work with the ordinances as well as work with changing the laws as well if they need to be changed.

Consensus: Against – Trustee Ponio and Saville. In favor – Trustees Verciglio, Herrmann and Garling.

2. Jason Shorzey, Lights Speed Presentation

Mayor Hyde and Officer Scarrione listened to a presentation already. They are here this evening to speak to the Board. Mr. Shorzey explained that this program is about intersection safety and improving the safety for the residents, reducing the stress on the PD and making things safer for the community. He presented some examples of cameras to the Board. Flagrant violations are caught with this type of system. Every 1000 Americans are killed thru red light crashes and costs 14 billion annually. He said there is a 20-80% reduction with these Red Light programs. They are seeing 40% reduction across the Board. There is reduction in accidents, etc. They are trying to change driver's behaviors with this program. They are based out of Lombard, IL so they are close by. 40,000 square foot facility and invited everyone to visit the facility. They have date management, a call center, engineers, etc. They offer turn key installations. Minimal work for the Village. The cameras have been in operation for about 18 years so they are reliable. There are three pictures that are taken as one goes thru a red light. All the data is encrypted when transferred. First, violations when captured, they are reviewed in Lombard, twice, by two different people. They make sure the violations are violations established by the PD. They eliminate any grey areas. The PD determines what the violation is. Speed will be recorded as the car goes through.

They keep a 7 days buffer on the video tapes so they can refer back if need be. The violation is then transferred to the PD and a ticket can be issued within 24 hours to the violator. The tickets are all bar coded. There is also a website available where the violator can review the video. There will also be an 800 exclusive for Island Lake. If the violation is contested, they will go thru the judicial process with the Village. He discussed then House Bill 435 with the Board. Monthly fee of \$1500 per camera and a monthly processing fee. \$599 for video capture, download and review, SOS, printing and mailing, payment process, scheduling, etc. They will send up 6 notices for a violation. There is no cost to the Village. First, they begin by adopting good locations within the Village. Second, adopt a local ordinance. Third, sign a contract. Fourth, they will perform intersection studies including video taping. Fifth, handle the IDOT permits. They take all the responsibility and it is a full service operation.

Mayor Hyde asked Jason about the constant video. The Village could obtain this and Jason agreed and said there is no additional fee for this. Mayor Hyde said that IL has certain laws regarding this and that certain intersections have to be brought into compliance within a year after Project Light Speed would take effect. Jason explained that the lights have to be upgraded to LED status. Trustee Ponio commented about safety and said only 10 seconds was spent on safety. He said that he's done some research and it seems to be all about money generation vs. safety. He said that yellow light time has been reduced in a number of Village's and they are collecting more money. Trustee Ponio does not think he needs, nor the residents needs, any more intrusion in their lives. He said that this will not stop accidents. The cameras catch people as they are doing the action. He said if you increase the yellow timing by a second, all the violations will most likely stop. Trustee Ponio said that the cameras do not adjust for slippery roads, icy conditions, etc., and he feels this could actually cause potentially more problems because people get nervous knowing that the cameras are watching and they may tend to slam on their brakes more often to not run through a yellow and/or red light. Trustee Ponio said he located a 20 page report from Congress on the red light camera program and it does point out that this is not increasing safety but more of a money generating program. Jason replied that their company is growing every year. The average ticket is \$100. He said that they profit \$24 to \$36 per ticket approximately. They have been in business for two years in Illinois. They are the only Red Speed company right now. They only service Illinois communities. Jason commented that he has read these reports as well and he offered that, if people know the yellow light time is increased, how many would step on the gas and go even faster vs. slowing down. Red Light though concentrates on trying to change behavior and slow people down. They are also trying to save the time of Officers from having to sit at intersections to observe drivers. The contract with Red Light is for 6 years. It is approximately \$30,000 per intersection to install the camera system. The cameras are mainly wireless. Installations take about an hour and a half per intersection. Takes 4-5 months to obtain the permits from IDOT.

Items from the Clerk, Trustees and Department Heads

- Trustee Herrmann reported that she has a copy of the budget with changes, etc. Changes include: dispatching, health insurance, computer replacement, police vehicle addition. Items are now included: lake spraying, mosquito spraying, sidewalk replacement, tree replacement program, paving at Veterans Park, mower, public works vehicle, police and sergeant eligibility list, police vehicle funding. Trustee Ponio questioned the fireworks. Trustee Herrmann said the fireworks are being worked on and letters have gone out to the businesses. There should be a final answer from the fireworks company by next week. Trustee Ponio was also concerned with upcoming years as they budget shows -\$457,000, 2 years from now -\$359,000, etc., as the years progress. Trustee Herrmann replied that yes, that is a big concern. Trustee Ponio is concerned with upcoming years. He questioned if dollars are catching up somewhere. Trustee Herrmann said the -\$457,000 is in reference to pay increases, costs going up and revenue going down. The remedy is something the Village Board has to come up with. Trustee Saville asked if there would be another budget meeting and Trustee Herrmann replied that no, there will be a vote for next week. Trustee Saville said the figures are then just being shoved around. Trustee Herrmann replied that Trustee Saville was not at the last meeting and that that was not the attitude of the rest of the Board Members at that meeting. She everything was discussed and suggested if Trustee Saville has questions, he should contact John Little directly. Trustee Saville said that the next two years – some of the problems coming up – have not been resolved obviously and money is being shifted but if they go further down, and there is not revenue coming in, he feels they should be holding another meeting to discuss resolutions. He said at the meetings, at one, almost the whole time was spent on fireworks. Trustee Saville said that he does not see how all these things are being resolved with only a few meetings and he would like to see more meetings. Trustee Herrmann said that this budget is not going to help for 2009 and 2010

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

Eberhard Becker 3710 Eastway Drive: Mr. Becker said the Red Speed presentation was interesting this evening. He said they are in business to make money. He said 20 towns were mentioned and they are making about \$800,000 in revenue a year. He feels they are taking these Village's for a ride. Mr. Becker asked what authority this group has to give him a ticket and where that is mandated in the state laws that they can do this. He said they talked about safety but he feels they are in business to make money. Mr. Becker asked Trustee Herrmann, re: the budget, that Trustee Herrmann had said that the Department Heads have taken pay cuts in the past, He said that when he was on the Board, and before that, he doesn't recall any pay cuts but rather raises every year. Trustee Herrmann over the last 11 years, there were many years that Department Heads and employees and/or both that did not take a pay increase. Mr. Becker said that Trustee Herrmann is lying. Mr. Becker said a lot of people would like a 10% raise or maybe a reduction in taxes to Island Lake. He said there are problems coming up and they are not being addressed.

Gregory Kachka, 3221 Hyacinth Terrace: Mr. Kachka said that there is a 40% reduction in accident. He asked though how many more read end collisions are there from people stopping and others running into them as there is probably increase. He said that people are probably stopping fast because they know they are being watched and there's probably cause for more read end collisions. He said that is all he wanted to know from the experts. Mayor Hyde said that the Board makes the decision whether or not the meeting is opened to the public at that time and they did not agree to do so at that time. Mayor Hyde said there are a number of rear end collisions that occur on 176.

Mr. Becker- with re: to Red Speed, they mentioned that they are there to aid other agencies; however, they have 20 + towns, in various counties, and they only have 4 people that take care of this. He thinks those individuals are pretty important and asked the Board to please do some research on that as they have other duties to do too.

Rob 4702 Southhampton: He questioned why the Board did not open up the meeting to the floor in order for residents to ask questions of the Light Speed company while they were here as residents had questions. Trustee Garling said they just did open up the meeting. He said there is a time period that's listed on the agenda. Trustee Garling said that the questions can be asked now and Rob commented though that the man from the company has left though. He said that there have been questions from Mr. Becker and Mr. Kachka and those will be passed along.

He questioned the events that recently occurred with Mr. Kachka and stated that it is disgraceful.

Mr. Johnson, 27909 N. Converse: Mr. Johnson stated that noise is coming through the walls of his house from Sideouts and he is extremely far away from Sideouts. He said that when he called the PD, they PD had said to him 'we are hearing it in the police department'. Mr. Johnson asked that there please be a limit placed on the decibel for such events. He is concerned also with important being placed on this Red Light program when residents can't even sleep after 12 pm at night due to noise. Mr. Johnson said that he is on Converse which is pretty far from Roberts Road. He said that there are also apartments right next door to Sideouts and he's sure there are children there that go to bed at around 9 pm. Mr. Johnson said if he can hear the music, he is questioning who limits how loud this music is. Trustee Ponio said the Village does not follow the ordinances unless it's certain people. He said that certain people in town get preferential treatment in town. Mr. Johnson said then this is more important that the residents?! Trustee Ponio said he received a call on Saturday night too and he spoke to Sergeant Scarrione. Mr. Johnson said he had called on Saturday night and the PD had said they already received a dozen calls. Trustee Ponio asked Sergeant Scarrione to keep an eye on this. Sergeant Scarrione explained that the ordinance allows for the business to go over 60 decibels beyond the property line. Mr. Johnson said that the PD is also pretty far away too and asked if this seemed acceptable. Sergeant Scarrione said if it is written down, he can enforce it, but if it's not written down, he can not enforce it. Mr. Johnson said the Board then would have to change the ordinance and he questioned if that is possible. Trustee Ponio said that he agrees with Sergeant Scarrione to a point. But, if complaints come in, next time, maybe that person should be denied a permit. Mr. Johnson suggested that maybe that business could be limited to a more reasonable time to be playing music as an option. He checks with other Villages and they don't necessary allow such noise until 12:30 am. Trustee Garling commented that the Sideouts has been doing this for a number of years and questioned if the noise was heard before. Trustee Garling said

that they are willing to listen to anything that is reasonable and is something that this Board does do. Mr. Johnson thought at first it was someone driving down his street or playing music from their home but it wasn't. Mayor Hyde said in general they have not had very many complaints. He said they had Battle of the Bands in the past and the Board asked them before to change where the music was being played to help the noise from bouncing around. Mayor Hyde said controls were put on the volume too and the last time they held Battle of the Bands, it was toned down. He said the business that is being referred to here is concerned with meeting the needs of the community and not having problems and he's sure they will address those complaints.

Dwayne Schaal, 4029 Roberts Road: Mr. Schaal stated that he complained at 12:45 am about the decibel level. He said the decibel level was 80 decibels in his living room and 120 on Roberts Road. Mr. Schaal read the noise permit ordinance. He said that this is not a public benefit at this decibel level and at 12:45 am. He feels a permit should not have been issued. Trustee Garling commented too that the noise should be addressed. He went 15 minutes past as it was supposed to end at 12:30. Mr. Schaal said there are also 200 + people there until 2 in the morning making noise too. Trustee Ponio suggested that Sideouts build that temporary building to hold such events so the noise can be handled. Mayor Hyde said they are working on it. Trustee Ponio said that he thought the ordinance for a temporary structure was supposed to be for a special event, a benefit possibly, not for a private business to generate income.

220 S. Circle Drive: Mr. Swigum asked if the issue has been solved between Trustee Ponio and the building inspector. Mayor Hyde said there are emails that go back and forth. He is assigned that department as a Trustee. Mr. Swigum said there should be communication then and that Trustee Ponio represents the residents of Island Lake. Trustee Ponio said that there are some items that he has not yet received any information on. He said that he also has the same issues with the Village Attorney. Mr. Swigum feels it should be required for employees to respond. Trustee Garling said that he has received a number of emails that have gone back and forth between Mr. Ponio and Mr. DeSort so he is not sure what is being said here. Mr. Swigum said that the residents elected these Board Members and proper communication should be required.

Greg Kachka, 3221 Hyacinth Terrace: Mr. Kachka asked why there are not written instructions as to what employees and department heads are to do and he stated that the Mayor is in charge of everything and that he should be able to speak to the Building Inspector, to get past his arrogance, and to work with Trustees that were put into office by the people of Island Lake. Mayor Hyde said that the Trustees work with their individual departments and many times, they are assigned to a department that they had requested interest in originally. He said that Trustee can hopefully develop a positive relationship over time with that Department but that doesn't always happen. He said it's not that simple though all the time. Mayor Hyde said he has not seen any messages or questions lately from Mr. Ponio to Mr. DeSort that the rest of the Board has seen that were not answered by Mr. DeSort. Mr. Kachka said Mr. Ponio wanted to see the drawings from the AutoZone and he didn't get them. Mayor Hyde said the drawings are there and beyond that, he is not sure. Trustee Garling said anyone can come in during normal business hours and take a look at them. Mr. Kachka asked where the courtesy is then, from an employee that the tax payers pay his salary, and a person we elected is asking questions on behalf of the residents, why won't Mr. DeSort answer him. Mr. Kachka feels that Mayor Hyde should be able to step in and stop this from happening. He commented that they don't have to like each other but that they do have to work together. Mayor Hyde said that's where it is now. Mr. Kachka said he wouldn't depend on it too much that Mayor Hyde is helping to working on this matter. Trustee Saville said that the Board Members work the best with the hand that they are dealt. He said that not everyone gets along. He said that this administration runs on controversy. Trustee Saville said some situations unfortunately get worse. He said it is the Chairs job to make sure everything is moving in a forward direction. Mr. Kachka said the King is on his throne. Mayor Hyde said that they will not discuss personnel. Mr. Kachka said that he does not like the Mayor and he knows that the Mayor does not like him and that the Mayor has said that to him before. Mr. Kachka said that Mayor Hyde said to him that he can't wait until Mr. Kachka gets his permit and "gets the heck out of here". Mayor Hyde doesn't recall saying that. Mr. Kachka said to go back and look at meeting minutes.

Laurie Rabbattini: Ms. Rabbattini questioned how long the meetings have been monitored in the Board Room. Mayor Hyde said since the budget allowed for it. He does not recall how long but it's been a long time. Trustee Saville asked then if the camera is working. Mayor Hyde said he assumes that it is working but that he does not know. Trustee Saville said it has not worked for a long time.

Ms. Rabbattini said she asked a couple months ago about taping meetings and she was told that part of the money went to Cotton Creek and some came to the Village. Mayor Hyde said yes, Cotton Creek got various items of equipment for their audio/visual needs and the Village gave them part of the grant money to do so and part came to the Village. She asked if there is surveillance in the Board Room or not. Mayor Hyde replied that it is his understanding that there is. He does not turn it on or off and he does not watch it. She asked who turns off the monitor and Mayor Hyde replied that that is handled he thinks by the Village Clerk. Ms. Rabbattini said though she is not here this evening and questioned if she came in and turned it on tonight. Mayor Hyde said he can not answer that question as he does not know. Trustee Herrmann assumed the Clerk was in charge of it. Ms. Rabbattini questioned if the Board Members turned it on tonight and Trustee Herrmann said no. She said she is in charge of the minutes in the Clerks absence. Ms. Rabbattini said she also had a question tonight about Red Speed so she followed the presenter out as he walked out to ask a question. She asked about the monthly fee. She is not for or against this but rather is trying to fully understand this program. Ms. Rabbattini questioned, if it's known over time where the cameras are placed, people then know where to slow down so the revenues will go down because tickets won't be issued. Mayor Hyde said there is a dollar amount and expenses and it looks like the Village would owe some monies as well as there are revenues but that the Board needs to further investigate everything with this program. He said that he is not 100% sold on this program either quite yet. Ms. Rabbattini said the Board limited the residents to ask questions at that time so she is asking it now. She has concerns with this being a speed trap type program.

A non identified person asked again about the expenses vs. the revenues on this Red Speed program. He said that the Village will automatically lose money if they have to update lights. Mayor Hyde said they would not have to modify anything for at least a year though. He said the whole program has to be further looked into by the Board and the initial thought was for this to be for safety. Mayor Hyde said the intersection mentioned, is the one located by the school which would be a good light to have better safety at. He said the process is just beginning and this was the first presentation to the Board. Mayor Hyde said all the understanding is not on the table yet.

Mr. Becker: he asked if there are surveys on which intersections would really warrant this Red Speed program. Mayor Hyde said they do not have any surveys yet. They have only listened to the presentation thus far.

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

Trustee Ponio asked if the Trustees are sued, if a lawsuit came up against the Board Members, if and how the Village Trustees are protected by the Village insurance. Mayor Hyde replied that he can not answer those questions and suggested that he ask the Village Attorney. He suggested emailing the Attorney. The Board would like to be copied too on this email.

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