

Village Board Meeting Minutes
VILLAGE OF ISLAND LAKE
3720 Greenleaf Avenue, Island Lake, IL 60042
November 10, 2022, 7:00 p.m.



1. **Call to Order** at 7:0* p.m. by Mayor McLaughlin
2. **Roll Call** Present: Trustees Chuck Cermak, Thadd Lewis, Julie McManus, Dan Powell, Stacey Pyne and Will Ziegler. Absent: Julie McManus. Also present: Mayor Richard McLaughlin, Clerk Georgine Cooper, Attorney David McArdle, Chief Dan Palmer, Sgt James Gainer, Treasurer Dennis Murray, Public Works Director Chris Carlsen, Building Official Ken Adkins; Code Enforcement Martin Horn; Planning and Zoning Chair Joe Zeinz, Wauconda Fire District Chief Patrick Kane
3. **Pledge of Allegiance** led by Fire Chief Patrick Kane
4. **Public hearing relating to the proposed fully amended and restated Annexation Agreement and for preliminary and final subdivision plat approval for Island Lake Properties/Kelley's Market for the 9.896 acres of vacant land at the northwest corner of Illinois Route 176 and River Road**
Called to order at 7:04 p.m. Present: Trustees Chuck Cermak, Thadd Lewis, Julie McManus, Dan Powell, Stacey Pyne and Will Ziegler. Absent: Julie McManus. Also present: Mayor Richard McLaughlin, Clerk Georgine Cooper, Attorney David McArdle

Carl Eckland, Attorney for The 176 Group/Kelley Williamson Co, a Rockford based company with 50 locations in northern Illinois and southern Wisconsin; plan to develop gas station and convenience store on site. Island Lake Partners previously entered into a sales contract with Circle K for development of the southerly 3-acres. Closing did not occur and no development of the property has occurred. , however, development did not occur within the 3-year agreed upon timeframe Island Lake Properties now has a sales contract on the southerly 3-acres with Kelley Williamson, Inc. for a gas station/Convenience Store.

Carl Eckland and Ryan Swanson, architect, reviewed the site plan showing 6 pumps in a single line instead of 8 in a double configuration; IDOT approval expected within a year. Right in and right out on State; adding a lane to River Road; improving the traffic signal; turn lane on River Road; northbound left turn lane directly across from McDonald's. Signage discussed. The sign benefitting the remainder parcels is the same pole sign, 10-foot height limit given in the Circle K agreement. With regard to the two principal signs benefitting Kelly's Marketplace, the Village Board prefers them to be lower than the proposed 28 feet. Ryan Swanson pointed out that the total square footage of signs proposed by Kelley's is less than approved for Circle K.

Public Question: Asked about diesel pump stations; concerned about fumes and spills. Response: It is for smaller trucks; larger will fit but will be less likely. Lake Geneva station is similar and does not have larger truck traffic; is a high demand for smaller vehicle diesel; they distribute their own fuel and they monitor closely. Landscaping plan will be submitted to Building Department for approval prior to issuance of building permit Question: When will building start? Response: Spring 2023; usual 4 months period; this will take longer due to site improvements. Question about sewer and water. Response: Will go under the road. Question: Is it a 24-hour business? Response: Yes. Lighting will be LED, subdued and will not spill onto Griswold (will point straight down); light poles are 20 feet. Public Question: How far north will the turn lane go? Response: 300 feet and will have dedicated right of way.

Trustee Cermak: Will there be signage on the west side of building [facing homes]? Response: No; it's on the east. Building Official Adkins pointed out electrical code and allowable lumens.

Motion to close the public hearing by Trustee Ziegler, Second by Trustee Powell
Ayes: Trustees Cermak, Lewis, Powell, Pyne and Ziegler. Nays: none. Motion carried.

5. **Adopt Ordinance 1655-22 executing the amended and restated Annexation Agreement with Island Lake Properties/Kelley's Market for the property at the northwest corner of River Road and Route 176**

Motion to adopt Ordinance 1655-22 executing the proposed amended and restated Annexation and Development Agreement with Island Lake Properties/Kelley's Market for the property at the northwest corner of River Road and Route 176 subject to further review and approval by the Village Board of alternatives to the proposed 28 foot tall "two identical pole signs at each ingress and egress point to the Property" by Trustee Lewis, Second by Trustee Powell

Ayes: Trustees Cermak, Lewis, Powell, Pyne and Ziegler. Nays: none. Motion carried.

- 6. Adopt Ordinance 1656-22 approving preliminary and final Plats of Subdivision for Island Lake Properties/Kelley's Market for the property at the northwest corner of River Road and Route 176**
Discussion: Attorney McArdle consolidated preliminary and final plat

Motion to adopt Ordinance 1656-22 approving preliminary and final Plats of Subdivision for Island Lake Properties/Kelley's Market for the property at the northwest corner of River Road and Route 176 by Trustee Lewis, Second by Trustee Cermak

Questions: Attorney McArdle: We did waive going before the Zoning Board, as we went through it extensively with Circle K and it is essentially the same; the reason we reduced to a 2-lot subdivision to assuage the County;

Ayes: Trustees Cermak, Lewis, Powell, Pyne and Ziegler. Nays: none. Motion carried.

- 7. Public Comment** included: Audience member still worried about diesel; he lives downhill from it; doesn't want it to become an eyesore. Attorney McArdle: EPA has jurisdiction. Trustee Powell: Complain about it if it gets to an unacceptable level.

- 8. State of the Village Address, Mayor McLaughlin**
Moved to 12/8/2022 Agenda so it meeting can be zoomed

9. Committee and Department Reports

- a. Public Works, Trustee Powell
- b. Lakes, Parks, Recreation, and Education, Trustee Pyne
- c. Economic Development and Grants, Trustee McManus
- d. Building and Zoning, Trustee Cermak
- e. Police, Public Safety, and Ordinances, Trustee Lewis
- f. Finance and Administration, Trustee Ziegler

10. Consent Agenda

- a. **Approve payment of bills totaling \$ 153,837.48**
- b. **Approve Minutes of the 10/22/2022 Special Meeting and 10/27/2022 Village Board Meeting**
- c. **Adopt Ordinance 1654-22, Amending Title 8 to Adopt the 2020 International and National Electrical Code**
- d. **Approve Lions request for use of parks for 2023 Events**

Discussion:

Motion to approve the Consent Agenda as presented by Trustee Lewis, Second by Trustee Ziegler

Questions:

Ayes: Trustees Cermak, Lewis, Powell, Pyne and Ziegler. Nays: none. Motion carried.

NEW BUSINESS

- 11. Adopt Ordinance 1657-22 amending Title 1, Chapter 6, Order of Business**

Discussion:

Motion to adopt Ordinance 1657-22 amending Title 1, Chapter 6, Order of Business by Trustee Powell, Second by Trustee Cermak

Questions: Trustee Lewis: What was impetus of removing 2nd public comment; concern that residents have a chance to comment on what was said, so have it at end. Attorney McArdle: Works with many towns; most don't have 2; many towns put public comment at the top for items not on the agenda; some ask for comment on action items; if it's a controversial matter, it gets involved. Trustee Cermak: Comment doesn't require response; suggests comment at the end. Response: It can be back and forth.

Trustee Ziegler: Sometime residents want to comment on what action was taken. Trustee Lewis: If we have comments at the beginning, the mayor can open the floor later to solicit comments. Attorney: Let's try at the beginning

Ayes: Trustees Cermak, Lewis, Powell, Pyne and Ziegler. Nays: none. Motion carried.

12. Discussion of and direction on possible amendment to Title 8, Chapter 11, Shoreline Protection

Trustee Powell: Spoke with Director Carlsen about it. We don't currently have a provision to have a buyer of a home to fix the seawall if it isn't up to code. We have other stipulations—like water connection—when a property sells. Needs more discussion, but we need to consider it. Trustee Pyne: It is the best thing we can do to help the lake; shoreline erosion is a problem. Asked to continue discussion at 12/8/2022 meeting

13. Discussion of and direction on possible amendment of Title 9, Chapter 9, Signs

Trustee Powell: Would like everyone to take a look at Title 9; consider revision. Director Carlsen: Mundelein is a good model for a sign ordinance. Trustee Pyne: Barrington has a good ordinance.

14. Mayor Comments included: Water Tower is painted and looks good; have had calls from people who received Code violation notices; no fine are instituted for 2 weeks and only if property is not cleaned up.

15. Trustee and Staff Comments included:

Trustee Cermak: Wished mayor happy birthday and happy thanksgiving to the public. Trustee Lewis: Thanked veterans and wished mayor a happy birthday. Trustee Powell: Has been a lot of action in Public Works Department; calm and getting a lot of work done; thanked Local 150 and Mayor; wish mayor a happy birthday. Trustee Pyne: Working on Craft Fair; getting food trucks. Trustee Ziegler: We are doing okay; Treasurer is watching budget.

Director Carlson: Thanked Public Works. Official Adkins: Developer deposits includes site evaluation of new homes by engineers; damage to curbs; and other costs; so far \$540,000 in revenue from new construction; will go over shoreline protection ordinance with anyone; Code Enforcement Officer Horn is diligent in helping get properties cleaned up. Chair Zeinz: Next week is public hearing for dispensary special use; waiting for more information from Senior Lots. Treasurer Murray; Tax Levy will be on next agenda; audit is in progress; Clerk Cooper: Would like to button down agenda the Friday before meetings to allow review of materials; thanked Lions for putting together new events.

16. Public Comment included: Tina Loos: Are we good to go

17. Adjournment

Motion to adjourn by Trustee Cermak, Second by Trustee Ziegler
All were in favor. Motion carried at 8:24 p.m.

Submitted by Georgine Cooper