

Village Board Meeting Minutes
VILLAGE OF ISLAND LAKE
3720 Greenleaf Avenue, Island Lake, IL 60042
January 26, 2023, 7:00 p.m.



1. **Call to Order** at 7:00 p.m. by Mayor McLaughlin
2. **Roll Call** Present: Trustees Chuck Cermak, Thadd Lewis, Julie McManus, Dan Powell, Stacey Pyne, Will Ziegler. (remotely) Absent: none. Also present: Mayor Richard McLaughlin, Clerk Georgine Cooper, Treasurer Dennis Murray, Attorney David McArdle, Public Works Director Chris Carlsen, Sgt. James Gainer, Planning and Zoning Chair Joe Zeinz, Fire Chief Patrick Kane
3. **Pledge of Allegiance led by Future Business Leaders of America (FBLA) Community Service Team**
4. **Public Hearing on Proposed Amended and Fully Restated Annexation Agreement between the Village of Island Lake and Island Lake Partners.**
Attorney McArdle: Hume An is committed to moving the project forward. We are amending the original (2019) annexation agreement. Changes are on page 2, underlined. If the property changes hands, the new owner will have to come before the Village. The age restrictions stay in effect; District #118 has agreed to waive impact fees, since no students will be generated. Paragraph 4 lists impact fees and agrees to building fees. The listed fees are the ones we will get.

Hume An: Has been developing multi-family apartments for 17 years in Illinois
Public Comment: none

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

Hearing closed at 7:12 p.m.
5. **Introduction of Future Business Leaders of America (FBLA) Community Service Team**
Kylee Federowicz, Daniel Estrada and Rachel Herrera presented information about “Effects of human trafficking on communities”; mentioned ordinance passed by Village of Wauconda to combat human trafficking; asked that the Village consider a similar ordinance.
6. **Presentation of Health Insurance Proposal for Police and non-union employees**, Colleen Roos
Last year’s rates from United Health Care were 8.7% lower than Blue Cross-Blue Shield. This year’s increase in cost is 8.5%, negotiated down from 13%. Recommendation is to renew United Health Care. Employees have a choice of PPO or HMO. Plan remains the same.

Consensus of the Board to authorize signing. Vote on 2/9/2023 meeting.
7. **Public Comment** included: none
8. **Consent Agenda**
 - a. Approve 1/12/2023 Meeting Minutes
 - b. Approve Baxter & Woodman Proposal for Bridge Program Management and Inspection Services from January 2023 – December 2024 in the amount of \$2,700
 - c. Adopt Resolution 683-23 IDOT Resolution for Maintenance under the Illinois Highway Code
 - d. Authorize Mayor to sign GEOCON Professional Services proposal for Geotechnical Engineering Services for the 2023 MFT Program in an amount not to exceed \$8,000
 - e. Approve Mayor’s appointment of Sarah Wright to Fire and Police Commission

Discussion: Attorney McArdle asked to remove items b and d from consent and approve the rest.

Motion to approve the Consent Agenda items a, c and e and to pull items b and d from the Consent Agenda by Trustee Lewis, Second by Trustee McManus

Questions:

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

Action Items

9. Authorize Mayor to sign the proposed Amended and Fully Restated Annexation Agreement between the Village of Island Lake and Island Lake Partners

Discussion: Attorney McArdle: Island Lake Partners is the seller. Hume An is here to answer any question

Motion to authorize Mayor to sign the proposed Amended and Fully Restated Annexation Agreement between the Village of Island Lake and Island Lake Partners by Trustee McManus, Second by Trustee Powell

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

10. Authorize Mayor to sign Revised Engineering Proposal for Professional Engineering Services for Lake Michigan Water Allocation Application not to exceed \$75,000

Discussion: Attorney McArdle: Issue remaining is a common issue with contracts. Page 2 of Agreement, highlighted section on limits of liability. If there is a limitation of damages, the Village is limited to amounts. Compare to Baxter & Woodman proposal that says the limitation of liability cannot exceed contract. GEOCON contract item 8 limits liability. Robinson contract limits it to whatever remains of a fixed amount of liability.

Steve Zehner of Robinson Engineering: Have participated with another firm in a lawsuit where the firm lost their insurance due to a contract. Robinson can increase the insurance for an additional cost.

Questions: Trustee McManus: How much would additional insurance cost? What services are you provided on this contract? Response: Only application. Attorney McArdle: Your insurance has a \$10,000,000 umbrella. Response: When we go to design, we want that coverage. Attorney McArdle: We should attach Certificate of Liability to contract.

Motion to authorize Mayor to sign Revised Engineering Proposal for Professional Engineering Services for Lake Michigan Water Allocation Application not to exceed \$75,000, subject to \$1,000,000 limit of liability by Trustee McManus, Second by Trustee Pyne

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

Pulled items from Consent Agenda: GEOCON

Director Carlsen: GEOCON will bore holes and assess roads for MFT work. Trustee Powell: Contract specifies roads for coring; will choose roads based on the results. Steve Zehner: We need to get this done to move on MFT projects. Trustee McManus asked Director Carlsen: Will this work result in a liability for us? Response: No. Attorney McArdle: Is there a possibility of a utility strike? Response: The utilities are deeper than the core. Trustee Powell: Who else does this? Response: Material Services. TFC—whose liability is the same. Trustee McManus asked that we receive materials farther in advance to allow for review.

Motion to authorize Mayor to sign GEOCON Professional Services Proposal for Geotechnical Engineering Services for the 2023 MFT Program in an amount not to exceed \$8,000 by Trustee McManus, Second by Trustee Lewis

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

RE: Baxter & Woodman Proposal

Motion to table Baxter & Woodman proposal pending discussion with Baxter & Woodman on liability insurance limit by Trustee McManus, Second by Trustee Pyne.

Questions: Trustee Powell: Do we have a side agreement with Baxter & Woodman so that we have understanding at the time of consideration of Agreements? Steve Zehner: It changed in 2014 when Baxter & Woodman was involved in a lawsuit.

Further Discussion: Attorney McArdle: The Baxter & Woodman proposal limits the liability to \$2,700; don't think there should be any limits. Director Carlsen: We need to have the inspection or that will cause other liability. The bridge will be replaced in two years.

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

11. Authorize Mayor to sign Intergovernmental Agreement with Lake County Stormwater Management Commission for the Channel Park Buffer Installation Project in the amount of \$20,600

Motion to Authorize Mayor to sign Intergovernmental Agreement with Lake County Stormwater Management Commission for the Channel Park Buffer Installation Project in the amount of \$20,600 by Trustee Powell, Second by Trustee Cermak

Questions: Trustee Powell will we have to match any funds? Trustee Pyne: We can make our contribution "in kind" with labor. The split is \$13,422 for us; Lake County is \$11,000. Our in kind is up to \$8,000; Village financial contribution would be \$2,000 and would be budgeted. Director Carlsen: Track labor and consumable items.

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

12. Mayor Comments included: Planning and Zoning Team is finishing Comprehensive Plan. Thanked residents who are cleaning up property. Savemore Gas station is still for sale; school board waived impact fees for Senior Lofts; dispensary to open April or May 1, 2023. Property on Fern was surveyed; information will come back next week. Attorney McArdle: Kelley's Market is moving forward; issue with old comprehensive plan shows exits to the west of parcels to Griswold Road; will meet with McHenry County to resolve this. We may give them the right to be involved on parcels to the north. Arnie Epstein, former Fire and Police Commission, passed away.

13. Trustee and Staff Comments

Trustee Lewis: Praised our IT providers. Trustee McManus: Took a field trip to another dispensary; concerned about traffic—especially since it isn't in an industrial area; make sure to protect neighborhood at permit time; was impressed with security at the Mundelein dispensary. Trustee Powell: Thanked Police Department and Public Works. Trustee Pyne: Condolences to Public Works employee on loss. Would like discussion and contract with Hough family who owns property for access to north side of Channel Park off firm. Before and After School club rehired a former club counselor to take a lead; need another person for morning; some costs were not budgeted; we have people willing to do camp if we can get DCFS certification; need a policy about bringing counselors' children to Club; revised job descriptions are in progress. Trustee Ziegler: Noticed Public Works was out plowing in recent snowfall. Director Carlsen: We can petition to have 176 and Westridge traffic light timing changed. Building Department going well; Walnut Glen phase is going well; builder may vacate part of Walnut Glen lots. Houses on Fairfield are well built.

Treasurer Murray: You have copies of audit that will be presented at next meeting; can send questions ahead of time to auditor. Chair Zeinz: Full agenda for February 16 meeting.

Motion to go into Executive Session for the purpose of discussing pending litigation (5 ILCS 120/2(c)(11) and to adjourn the meeting immediately following Executive Session by Trustee Cermak, Second by Trustee Powell

Discussion:

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

14. Adjournment 8:36 p.m.

Submitted by Georgine Cooper