

## February 12<sup>th</sup>, 2013 Regular Board Meeting Minutes

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Linda Soto at 7:00 p.m.

Mayor Linda Soto led the pledge of allegiance to the flag.

Clerk Kathy Metzler took roll call. The following Officials were present: Mayor Linda Soto, Trustees Derenoski, Kriese, Duberstein, Barrett, and Walkington

Also present were: Village Clerk Kathy Metzler, Building Official Russ Kraly, Village Attorney Jim Rock and Village Engineer Greg Gruen

Absent: Trustee Daley, Treasurer Kelly Hensley, EMA Coordinator Mike Benko and Public Works Superintendent Jeff Gately

### **Establishment of quorum**

Mayor Soto stated Trustee Daley had some minor shoulder surgery and is home and recovering.

### **Agenda Approval**

Trustee Derenoski motioned to approve the agenda as presented; seconded by Trustee Duberstein.

### **Roll Call:**

**Ayes:** Trustees Derenoski, Kriese, Duberstein, Barrett, and Walkington

**Absent:** Trustee Daley

Motion carried.

### **Lake County Health Department – Drug Free Communities – Bill Gentes**

Mayor Soto introduced former Round Lake Mayor Bill Gentes who is now with the Lake County Health Department. He is heading the Community Health Center and the Drug Free Communities Program.

The Underage Drinking and Drug Prevention task force was formed out of the after school coalition in 2006. One of the major missions is the social hosting ordinances. This puts responsibility on the homeowner when there is underage drinking in someone's home. Mr. Gentes stated that Round Lake Beach attached a more stringent form of ordinance that allows the community to recover any damages or costs from the incident. This can bring revenue to the community. He can forward sample ordinances.

Mr. Gentes explained that his task force also deals with prescription drug abuse. This is the fastest growing drug problem in the country. Children are getting addicted to prescription drugs found in medicine cabinets. Heroin is similar to oxytocin and vicodin. The task force is creating a way to take prescription medication not being used out of the medicine cabinet and disposing it safely. There are 12 boxes in the county that resemble a mailbox for unused prescription drugs. The boxes have to be in a police department and

an officer must take the medicine out and put them in an evidence locker. Twice a year the DEA has a prescription drug take back day. Mr. Gentes encouraged the Grayslake Police Department to take part in this. Currently the boxes are taking 2 to 3 tons of prescription drugs off the street every year.

The coalition has 40 to 50 regular members and Bill Gentes encouraged our Board to come to the meetings on the third Thursday of every month at 8:30 p.m. Bill also commended the Board for considering the Marijuana ordinance.

**There were no public comments.**

### **Omnibus Vote Agenda**

1. A Motion to Approve the January 22<sup>nd</sup>, 2013 Regular Board Meeting Minutes
2. A Motion to Approve the February 2013 Bills Payable for \$174,729.75
3. A Motion to Approve the January 2013 Financial Statements

Trustee Walkington motioned to approve the Omnibus Vote Agenda as presented; seconded by Trustee Duberstein.

#### **Roll Call:**

**Ayes:** Trustees Derenoski, Kriese, Duberstein, Barrett, and Walkington

**Absent:** Trustee Daley

Motion carried.

### **Reports and Communications from Mayor and other Officers:**

#### **Village Engineer**

Village Engineer Greg Gruen reported that he will be working on satisfying some terms and conditions of the NPDES permit for storm sewer system. This will involve storm water sampling, documentation and analysis.

Greg stated that in the next fiscal year there are no improvements planned with regard to the motor fuel tax. The main goal is to save up for the Cranberry Lake resurfacing which should be accomplished in the 2014-2015 fiscal year.

#### **Village Attorney**

Village Attorney Jim Rock reported that he has developed the license agreement with the Grayslake Police Department that is under the Business portion of the agenda. He is also reviewing the Village sign ordinance which will be presented at next month's meeting.

Attorney Rock also is reviewing a request for subdivision of the Firestone property which at some point this will come to the Board.

#### **Public Works Superintendent**

Public Works Superintendent Jeff Gately was not in attendance.

Village Engineer Greg Gruen left the council chambers at 7:18 p.m.

### **Building Official**

Building Official Russ Kraly stated he distributed his monthly report. Last week he handed out 69 warning notices to residents who still had holiday decorations up. He was to give out tickets Monday but with the snowstorm he will give the residents another week. If the lights are still up, tickets will be given.

### **EMA Coordinator**

EMA Coordinator Mike Benko was not in attendance due to work.

### **Treasurer**

Treasurer Kelly Hensley was excused from attending the meeting.

### **Village Clerk**

Village Clerk Kathy Metzler stated that she and Roseann have been working on the Records Retention Disposal. Roseann typed it out and Kathy hopes to have it sent out soon. Roseann is scanning all of the minutes from the beginning. Our ordinances are codified so if there was an emergency in the Village we have the codification company. But the minutes are not backed up. The minutes will be put on a thumb drive and stored offsite.

Kathy has also been working on putting all the Standing Committee Meeting minutes on the website. Everyone is pretty much up to date. She thanked the committees.

She is also working on putting things on the website requested by the Village Engineer, Public Safety and EMA. She is pleased with Heather Acton, the website developer. Roseann and I are getting better and better everyday on the website. It is actually getting easy.

Clerk Metzler reported that the Village has 47 subscribers who received the Village's announcements through emails whenever there is an update to the monthly announcements and the Public Safety tip.

Kathy stated that last year in March Russo had a big equipment sale however this year it will be an auction. The date is Saturday March 23<sup>rd</sup>. She worked with them to get an auctioneer certificate of registration. The police have also been notified.

### **Mayor**

Mayor Linda Soto stated that there has been plenty of good weather for residents to take down holiday decorations. Residents have called to say that with the snow they will not be able to take them down. The Mayor stated that residents should not put them up if they cannot take them down in a timely manner. Citations will be going out next week.

State Rep. Sam Yingling has his State office in our Public Works Building next store. He has advertised through the media that he is seeking residents or business owners for his advisory panels. This is separate from communicating with the Village. We the Village Board communicate with our State Legislators on a regular basis, but the State Rep. is

reaching out across his district to residents and business owners. We did post this on the Village website. He is looking for people to give information and advice on legislation toward young families, veterans, education, health care, jobs, economic development, public safety, senior citizens, women issues and conversation and advisory panels. The Mayor asked that interested residents contact Sam Yingling at [repsamyling@gmail.com](mailto:repsamyling@gmail.com). She encouraged residents to speak up and get involved.

The Mayor updated everyone on Groot Industries Inc. located in Round Lake Park. They have decided to host a public informational meeting Saturday February 16<sup>th</sup> from 9 to 11:30 a.m. It is an open house type meeting. They will present a site plan that will include the improvements and operation overview. Groot is hosting this to make the public better aware of what they are trying to do.

The Village's website has the update from SWALCO on the proposed garbage site transfer station. There will be a meeting on March 6<sup>th</sup> that is required by the process of getting their IEPA permit. The meeting will be held at the Round Lake Beach Cultural Civic Center. The Mayor will do a community outreach phone call to remind residents of this meeting. There will be a presentation of the Life Cycle Assessment and its findings. This is a major step in this process.

The Mayor stated that the Village hosted an Emerald Ash Bore Grant workshop given by the Mayor's Metropolitan Caucus. The workshop was well attended. The Mayor, Jeff and Kelly worked on submitting the grants and are waiting to hear the status.

### **Reports of Standing Committees**

**Finance** – Trustee Daley was not in attendance and there has been no committee meeting since the last Board meeting.

**Public Works** – Trustee Walkington reported that both generators were delivered and Chris Electric will be putting them in. Well 2 is in the process of being capped. Well 1 has a new pump in it and will be started up to relieve well 3.

Mayor Soto stated that Jeff was asking for an update on the Cobra lights. They have been shipped but not sure when they will arrive. She hopes they will be delivered and up soon.

**Public Safety** – Trustee Kriese stated that he attended the Round Lake Beach Public Safety meeting as an observer. They have an ordinance that was implemented last year having to do with new software purchased for their police department. It documents all the transactions happening in the pawn shops and second hand businesses. It identifies the things brought in and who brought it in and then the information is sent to the police. The police check if it has been stolen. It has helped in recovering about 4 stolen properties.

Trustee Kriese met with Chief Perlini of Grayslake. They discussed an April presentation on Identity Theft. He will update everyone once it has been finalized. The Chief also stated that there were three car break-ins. This is common and mostly happens when cars are

left unlocked. The Chief asked that residents be reminded to lock their cars and keep garages closed.

**Wetlands and Open Spaces** – Trustee Duberstein reported that nothing is going on right now with the Committee.

Trustee Barrett asked about a large Native Restoration bill on the payables. Trustee Duberstein stated this was work done earlier.

**Community Relations** – Trustee Derenoski stated that there will not be a Hainesville Fest this year and instead they will look into doing a smaller scaled down event. This will not require so much work from the staff. The fest requires a lot of work and is very costly. This year it will be a smaller event and next year possibly doing a larger Hainesville Fest. This was discussed in previous years but it had been decided to do the Hainesville Fest the past years. However this year they will move forward with the smaller scale event.

Mayor Soto stated that this was discussed along with adding a co-chair to the Committee, Jackie Brunk. John has not met with Jackie and there has not been an official meeting yet. The Mayor stated that there will be additional discussion at the committee meeting before it is decided exactly where the Fest is going. They are looking at putting a halt for one year on the full blown Hainesville Fest substituting a smaller scale event and then coming back the following year with a full weekend event. There are a lot of ideas on the table so there will be a more accurate report at the next Board meeting.

## **Business**

### **Request for Rental Waiver – 556 N. Triumph**

Mayor Soto stated that this is under Business rather than the Omnibus Agenda because this is not like the other waivers. There are some concerns. The Mayor spoke with Attorney Jim Rock after talking with the Clerk and we got feedback from the townhome association. There is a question as to whether it meets all the hardship requirements and if the voucher on the real estate time line is too old.

Village Attorney Jim Rock stated that this does present some questions. The owners of the property articulated their position in a letter that was sent. They made some strong points. Attorney Rock noted the problem areas. One is that Don Heiden, Association president, states that the hardship is that the owners had to move back to Washington DC in 2007 and because of the poor market can not sell the property without taking heavy losses. That is not the hardship defined in the condominium association covenants. There is a specific definition and that is that the property must be listed for sale unsuccessfully for six months and then request a hardship. The property was listed for sale for a year 5 ½ years ago. There have been no current efforts to market the property. Also, they had been renting the property until July of 2012. There was some renovation of the unit so it has been vacant until now. The owners have requested to rent it but the association is over the 15% mark so hardship has to be requested. Jim states that the homeowners make reasonable points but if the Board is going to stick with the hardship definition that is in the covenants this effort to sell it happened too long ago and is not a current effort to market the property.

The Association President told the Village Clerk that the condominium association attorney advised them that the marketing efforts were too long in the past and they should not approve it and send it to the Village Board. Instead they should require the homeowner to re-establish the hardship by marketing the property for six months. Attorney Rock concurs with that statement; the problem is with the age of their marketing.

Mayor Soto stated that her concern is that the Board will set a precedent if this is approved. Since Cranberry Lake North is in excess of the 15% there might be other cases such as this one. Mayor Soto suggested telling them that they need to remarket the townhouse and if it is on the market for 6 months with no sale then they can apply for the hardship.

Trustee Duberstein asked if any sales have taken place in the community. Mayor Soto stated that the townhome association is not spending a lot of time on this and she doesn't think the Village Board should either. Their board has approved it but at that meeting their attorney cautioned them that they shouldn't so it was pushed through to the Village Board. Trustee Walkington agrees that the Village Board should not approve this until the homeowners have gone through the proper process.

Village Clerk Metzler stated that she received a call from Don Heiden who stated that Vanguard has had concerns about this because it would be opening a can of worms regarding the length of time.

The Mayor stated that with the Board's instruction she would like to tell Don Heiden that he needs to work with Vanguard and the attorney. It is not the Village's jurisdiction and the Village has repeatedly told them ways to change the covenant.

A consensus was taken of the Board and it was agreed by all the Trustees that the request be sent back.

**License Agreement for Storage Space Between the Village of Hainesville and the Grayslake Police Department for space at the Public Works Building for \$400 a month**

Mayor Soto stated that the Police moved in some time ago and made improvements themselves to the Public Works building.

Trustee Barrett motioned to approve the License Agreement for Storage Space Between the Village of Hainesville and the Grayslake Police Department for space at the Public Works Building for \$400 a month; seconded by Trustee Walkington.

**Roll Call:**

**Ayes:** Trustees Derenoski, Kriese, Duberstein, Barrett, and Walkington

**Absent:** Trustee Daley

Motion carried.

**A Motion to Approve a Resolution Regarding Zoning Restrictions on Cannabis Dispensaries and Related Facilities**

Trustee Walkington motioned to approve a Resolution Regarding Zoning Restrictions on Cannabis Dispensaries and Related Facilities; seconded by Trustee Barrett.

**Roll Call:**

**Ayes:** Trustees Derenoski, Kriese, Duberstein, Barrett, and Walkington

**Absent:** Trustee Daley

Motion carried.

Resolution # R13-2-68

Trustee Walkington motioned to adjourn the February 12<sup>th</sup>, 2013 Regular Board Meeting; seconded by Trustee Kriese.

All in favor say aye, motion carried.

**The February 12, 2013 Regular Board Meeting adjourned at 7:46 p.m.**

Respectfully submitted,

Kathy Metzler, RMC, CMC  
Village Clerk