

**March 12th, 2013 Village of Hainesville Plan Commission
Special Meeting on the Proposed Subdivision of the
Hainesville Firestone Retail Property**

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Linda Soto at 7:02 p.m.

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

Also present were: Village Clerk Kathy Metzler, Building Official Russ Kraly, EMA Coordinator Mike Benko, Public Works Supervisor Jeff Gately, Village Attorney Jim Rock and Village Engineer Greg Gruen

Absent: Trustees Derenoski, Barrett and Treasurer Kelly Hensley
Trustee Derenoski was dealing with a family emergency and Trustee Barrett had a water heater break at his home but will be attend the meeting later.

Establishment of quorum

Agenda Approval:

Trustee Walkington motioned to approve the agenda as presented; seconded by Trustee Daley.

Roll Call:

Ayes: Trustees Kriese, Duberstein, Daley and Walkington

Absent: Trustees Derenoski and Barrett

All in favor, motion carried.

Proposed Subdivision of the Hainesville Firestone Retail Property

Discussion

Mayor Soto stated that this is the property where Subway, Bento and Firestone are located. There is a back portion of the property that is not developed.

Village Engineer Greg Gruen explained that the property owner wants to subdivide the property into two lots and one outlot. As the property sits now there are several different parcels under one ownership. The purpose of the subdivision is to clean up the parcels and make lot 1, where the retail is now, there would be a separate outlot designated for the existing retention pond. Lot 2, the southern most portion of the property, would be reserved for future development.

Greg stated that he reviewed this against our subdivision ordinance. Two items came up. The detention pond as it sits now is sufficient only for the current development which the owner understands. If there is future development on the property the detention pond would need to be expanded. Another accommodation requested is that if Route 120 bypass goes through and there is

a Hainesville Road extension to Route 120 bypass there would be additional right-of-way. This is long term planning and the owner did dedicate seven feet of right-of-way along the frontage and another 20 ft. easement so if the extension takes place there is adequate land across the property.

Trustee Daley clarified that this is just subdividing plots. Greg added that this is a division of property and no improvements proposed at this time.

Mayor Soto stated that any improvements would have to adhere to the current zoning. Building Official Russ Kraly, Village Engineer Greg Gruen and Village Planner Al Maiden have all reviewed this. The Mayor feels that everything has been satisfied. It cleans things up as far as tax parcels; it went from four to two parcels. Mayor Soto has no problem with this request since all the issues have been met.

Russ Kraly had a question as to why the plat still had parcels 1,2,3, and 4. Attorney Paul Zagoras stated that this was the old subdivision lots. Russ wanted to make sure it gets revised. Paul thought it would get changed by Brian Lee at RE Allen.

Attorney Jim Rock stated that the addendum addresses the current easement that governs the detention basin. It makes the owner of parcel 1 responsible for maintenance of the pond for now. When there is development of parcel 2 then that owner will be responsible for whatever Stormwater detention needs to take place. They would need to get approval for new detention.

Trustee Walkington asked who owns outlet A. Jim Rock stated that owner of lot 1 owns the outlet. Mayor Soto stated lot 2 when developed needs to come up with its own detention plan.

Jim Marriott added that he owns lot 2 so he can control the pond for the whole development.

Trustee Daley asked if anyone is interested in the other lot. Mr. Marriott stated that there is no interest in the lot just in the shopping center.

There were no public comments.

Trustee Daley motioned that the Plan Commission recommends Approval to the Board; seconded by Trustee Duberstein.

Roll Call:

Ayes: Trustees Kriese, Duberstein, Daley and Walkington

Absent: Trustees Derenoski and Barrett

All in favor, motion carried.

Trustee Walkington motioned to adjourn the March 12th, 2013 Plan Commission Special Meeting on the Proposed Subdivision of the Hainesville Firestone Retail Property; seconded by Trustee Daley.

All in favor say aye, motion carried.

The March 12th, 2013 adjourned at 7:14 p.m.

Respectfully submitted,

Kathy Metzler, RMC, CMC
Village Clerk

March 12th, 2013 Regular Board Meeting Minutes

Meeting called to order at the Village of Hainesville Council Chambers by Mayor Linda Soto at 7:15 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 Kriese, Duberstein, Daley and Walkington

Also present were: Village Clerk Kathy Metzler, Public Works Superintendent Jeff Gately, Building Official Russ Kraly, EMA Coordinator Mike Benko, Village Attorney Jim Rock and Village Engineer Greg Gruen

Absent: Trustees Derenoski and Barrett and Treasurer Kelly Hensley

Establishment of quorum

Trustee Barrett may attend the meeting if he has finished installing his water heater and Trustee Derenoski was dealing with a family emergency.

Agenda Approval

The Mayor requested that the order of the Agenda be changed. Russ Kraly needs to leave to attend another meeting that was rescheduled due to the recent storm. The Mayor moved up the Building Official report and the approval of the Ordinance for Firestone before the Omnibus so Russ can participate and then be dismissed.

Trustee Daley motioned to approve the Agenda as amended; seconded by Trustee Walkington.

Roll Call:

Ayes: Trustees Kriese, Duberstein, Daley and Walkington

Absent: Trustees Barrett and Derenoski

Motion carried.

Public comments:

Kate Bailey of Rep. Yingling's Office, 20 W. North St., Hainesville, IL 60030 – Kate Bailey introduced herself as the new District Staffer for State Rep. Sam Yingling. Kate is in the office regularly if anyone has any questions or concerns.

Building Official

Building Official Russ Kraly reported that he distributed his monthly report. No permits were done last month just Occupancy Inspections. He also worked on violations for Holiday decorations.

Business

An Ordinance Approving the Proposed Subdivision of the Hainesville Firestone Retail Property

The Plan Commission has made the recommendation to the Board to approve this ordinance.

Trustee Kriese motioned to approve the Ordinance Approving the Proposed Subdivision of the Hainesville Firestone Retail Property; seconded by Trustee Duberstein.

Roll Call:

Ayes: Trustees Kriese, Duberstein, Daley and Walkington

Absent: Trustees Derenoski and Barrett

Motion carried.

Ordinance # 13-3-170

Russ Kraly left the Council Chambers at 7:19 p.m.

Omnibus Vote Agenda

1. A Motion to Approve the February 12th, 2013 Regular Board Meeting Minutes
2. A Motion to Ratify the February 2013 Bills Payable for \$70,916.01
3. A Motion to Approve the March 2013 Bills Payable for \$122,934.48
4. A Motion to Approve the February 2013 Financial Statements

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

Roll Call:

Ayes: Trustees Kriese, Duberstein, Daley and Walkington

Absent: Trustee Barrett and Walkington

Motion carried.

Reports and Communications from Mayor and other Officers:

Village Engineer

Village Engineer Greg Gruen reported that he is working on the general Stormwater for the MS4 permit obligation from the IEPA. It will involve Stormwater sampling and documentation. He also worked on the Firestone subdivision review which was approved.

Trustee Walkington asked about the Washington Street update. Greg stated that bids were due this spring. He will call to get a firm answer.

Greg Gruen left the Council Chambers at 7:24 p.m.

Village Attorney

Village Attorney Jim Rock stated he reviewed and revised the Village sign ordinance. There will be a public hearing at the March 26th meeting. The notice was published Monday and there will be a sign in place. The Board will get the revisions in time before the hearing. It will be on the agenda at the Board Meeting for approval.

Jim also worked on the subdivision ordinance. He also is working on a potential snow and ice removal ordinance which would require property owners to remove the snow and ice from the sidewalk on their property.

Public Works Superintendent

Public Works Superintendent Jeff Gately stated that February was busy with snow removal. They went through 1,500 gallons of beet juice which is doing a fantastic job. It is a money saver because the roads are getting cleared with less labor. Jeff feels he has the correct mixture now. There is about 100 gallons left and he won't be ordering more.

They have been working on the ash borer grant in hopes of getting the grant and the Mayor have an announcement tonight in her report.

Mayor Soto has received a lot of compliments on the terrific job that was done in Hainesville on clearing the roads. She is very pleased with the snow removal effort.

EMA Coordinator

EMA Coordinator Mike Benko stated he also complimented Jeff on the snow removal. The next EMA meeting is April 15th. They will be covering the use of solar power during an emergency. March is severe weather preparedness month in Illinois. Mike stated that with the earthquakes in California it is suggested to have 2 weeks worth of preparedness needs.

Treasurer

Treasurer Kelly Hensley is not present due to illness but has been working from home and has been in contact with the Mayor and Trustee Daley to get the new budget done.

Village Clerk

Village Clerk Kathy Metzler stated that the Firestone ordinance number is 13-3-170. She has been working with Trustee Kriese on the post cards for the ID theft presentation and putting it on the website. She is also working with Mayor Soto and Jim Rock on the public hearing and tonight's meeting.

Mayor

Mayor Linda Soto reported that the Village was awarded the Emerald Ash Borer reforestation grant which is the larger grant of the two applied for. The Village will be able to implement the 5 year plan. The second grant is wood utilization and is a smaller grant. It has to do with the recycling of the wood. She does not have a concrete response yet.

The Mayor stated that Springfield is bringing back the fear of taking away some of the monies from the sales tax or LGDF funds. There are a lot of freshmen down in Springfield so old issues are being revisited. The freshmen seem to be holding strong. The Mayor is optimistic that this will be worked out. The legislative committee from the Lake County Municipal League and Board of Directors will be going to Springfield in April. The Mayor will also be going and will be persistent.

The Mayor discussed the issue of shoveling sidewalks. The Village has fallen back on the Illinois Snow and Ice Removal Act. The Mayor has received complaints from residents who are refusing to shovel sidewalks. The police were called and were going to issue warnings. If the Village is going to enforce or consider an ordinance there are common areas of sidewalk that are the Village's responsibility. The Mayor thinks this is worth exploring. She spoke with Chief Perlini about sending someone out to give warnings. When warnings are issued, some residents adhere but there are some who may challenge or ignore it. How far does the Village want to take this? The Mayor did a CTY call asking residents to shovel or salt their sidewalks. The Village tries to communicate through newsletters our website and CTY calls. This is an issue she will address at the Town Hall Meeting. Two residents were upset about the two calls. The Mayor does not know how else to communicate information.

Another resident was upset that the Holiday Decoration warning was being enforced. The Building Official issued warnings with no fine and a week later wrote a ticket to those who did not take the decorations down. A week after a second ticket was written. A resident who got a warning and 2 tickets came in and complained that they didn't know. This resident has lived here for a year and has received newsletters but the resident stated they do not read it. Another resident called to complain about resident's feuding over shoveling snow. This issue should go to the police department. They also stated someone's child fell and broke their arm and they are threatening to sue the property owner and the Village. For the record, the Mayor has not received any calls to confirm this or has the village been threatened to be sued. She is not concerned about being sued because under the Snow and Ice Removal Act and through tort immunity the Village is protected. The concern is to keep everyone safe. This is what has brought this issue to the front lines.

Trustee Duberstein stated that many people think if they don't shovel the sidewalk they are not liable if someone hurts themselves but if you do then you are liable but really they are not liable.

Mayor Soto read parts of the Snow and Ice Removal Act regarding liability. Residents are not liable if they shovel. Trustee Duberstein stated it should be published more than once.

Mayor Soto stated that it is not on this agenda tonight so no action will be taken and this is just discussion. Grayslake does have a provision in their code regarding this issue. It states that a property owner has 24 hours after a storm ends to clear the snow. Municipalities usually will put in a little wiggle room before citations are issued; they usually start with a warning. The Mayor thinks it is worth looking at. Attorney Jim Rock will look at the language and come back with his thoughts and possible ordinance. The Mayor passed around what Jeff has highlighted as the common sidewalks. They will not do areas that are recreational areas such as paths that lead to parks. The bike path is cleared as a courtesy because residents do use it to get to the train or Walgreen's. She recommends that the Board think about this and see what Jim Rock comes up with.

Trustee Daley asked if there is personal liability for someone who does not shovel. Village Attorney Jim Rock stated that it is up to a court but there is no law that establishes the liability for failure to shovel only a statute that establishes an exemption from liability if you do shovel.

Trustee Walkington asked if there was an ordinance that it was mandatory to shovel would every resident be liable. Jim stated that it would not create any additional liability. Mayor Soto stated that they would be liable for the responsibility but not an injury that occurred on their sidewalk. Jim added that they would not be any more liable for an injury under those circumstances than if they didn't shovel. Mayor Soto added that the goal is not to get revenue it is to motivate the residents who choose not to shovel.

Trustee Kriese asked where the property lines start and end as far as the sidewalk; he thought it ended at the sidewalk. Jim stated that although it may be true municipalities can still enforce an ordinance requiring the property owner to maintain the sidewalk. It is not a valid argument.

When this was brought up a few years ago the Village did not want to take on the responsibility of clearing the common areas and with promoting the Snow and Ice Removal Act that the message would get to the residents to not be afraid to shovel. People just don't care.

The Mayor asked the Board to revisit the LED read out sign in front of the Village Hall. It has been brought up by some residents. It is another means of communication; it is visible. The most popular way to pay utilities bills is still the drop box so residents would see the sign. The Mayor asked the Board to think about the sign. This is budget time so if the Village wants to do it now would be the time or wait and explore it next year.

Trustee Walkington thinks it is an excellent idea.

Trustee Duberstein stated that it boggles her mind that residents get information sent to their homes and they don't read it or won't listen to the calls. Clerk Metzler added that when residents come in to pay their water bill they will still have the newsletter attached.

Mayor Soto stated that it may be a generational thing. Trustee Derenoski wanted to convey that he is in favor of the sign. He is the youngest trustee and is more of an electronic age; he does not like paper. The Mayor appreciates the reminders. She likes the sign at the High School. It is not the answer to everything. She called the company that was contacted last year. It will be under \$20,000. She would like the Board to email her their thoughts.

Trustee Daley is not in favor of the sign. He feels that type of sign is an unattractive nuisance.

Trustee Duberstein stated that not a lot of information should be put on the sign at one time. She does not stand long enough to read all the information on some of the signs. Mayor Soto agrees. St. Gilbert and Avon Township signs are not overwhelming. Grayslake North is overwhelming because the clip art is very busy.

The Mayor will call Trustee Barrett regarding this issue.

Trustee Kriese can see some of its benefits but doesn't see the benefit if you are going North on Hainesville Road. The Mayor stated that the sign can be changed from a computer. Trustee Kriese asked if a survey can be done. The Mayor stated that a mini survey can be done at the Town Hall Meeting.

The Mayor stated that this would be in addition to the other means that the Village is using to communicate. People can opt out of the CTY calls. The Mayor would like to make people understand the new contact system they can sign up for. This is the email that residents get with the new announcement that is on the website. When people signed up for CTY they did not sign up to get emails. There are 1,300 telephone numbers for CTY and only about 114 emails. She would like to bring this up at the Town Hall Meeting.

Reports of Standing Committees

Finance – Trustee Daley presented the Budget to the Finance Committee and it was approved. It will be presented at the next meeting and approved at the April meeting.

Public Works – Trustee Walkington reported that the Public Works meeting will be tomorrow evening. Jeff spoke with Eric at Chris Electric regarding installing the generators. Jeff would like them in before April. Eric is hoping sometime next week and he will also install the new LED Cobra Heads.

Mayor Soto stated that for the record she wanted to report some details on making the decision regarding the Cobra Heads that the board assigned her. First she requested references from both parties and Jim Zimmerman did provide references promptly. Eric is a contractor first and is not the rep so it took a while to get the references and then there were problems opening the attachments on the emails he sent. Another sticking point was that the manufacturer recommended by Eric had a 10-year warranty and Jim's only had a 5-year warranty. Jim forwarded an article regarding an award that their product had received and shortly after the company changed to a 10-year warranty as well. Mayor Soto awarded the order to Jim Zimmerman but she appreciated Eric's efforts.

Public Safety – Trustee Kriese is working with the Grayslake Police Department on a presentation on Identity Theft which will take place on April 16th at 7:00 p.m. It is presented by the Grayslake Police Department. Trustee Kriese attended the March 6th SWALCO presentation on Groot Industries. Groot had to show that they are complying with certain guidelines. Residents at the meeting thought they could air complaints or comments regarding the transfer site. The attorney of Round Lake Park stated that a Citing Hearing will take place when Groot applies for a permit. The Mayor stated that the reports from the Groot meeting are on the Village's website. The Mayor also stated that there is confusion about what this transfer site will do to the water aquifers. This is not a dump or a land fill so it should not be a concern.

Community Relations – Trustee Derenoski was absent. Mayor Soto stated that the next Community Relations meeting is on March 26th at 6:15 p.m. Any residents who would like to join the two co-chairs please come to the meeting.

Wetlands and Open Spaces – Trustee Duberstein stated that everything is on hold until the weather gets better. She reported that Village Engineer Greg Gruen is working on getting Stormwater and US Army Corp of Engineers to give approval to put in a drain pipe in Hainesville Meadow so there is more control over the water level. When plants are put in they will not be submerged or dry out.

Trustee Duberstein stated that the Great Age Club had an interesting presentation on the History of Lake County from the time of the mammoths to today. It was presented by the Lake County Forest Preserve.

She also stated that there will be a Citizen's Workshop on Saturday April 20th from 9 a.m. to 2 p.m. Workers are needed from 8 a.m. to 3 p.m. The purpose is to help potential citizens to fill out application for citizenship. Breakfast and lunch is provided for the volunteers. There may be a training session before the workshop. She will let everyone know if this occurs.

Town Hall Meeting Tuesday, April 23rd, 2013 - Discussion

Mayor Soto stated that this meeting will be in place of the Regular Board Meeting. She hopes to have some displays and some formal presentations on upcoming projects. The budget will be approved and so there can be talk about firm projects. There will be some major road construction projects surrounding the Village which the Mayor hopes to inform residents about. Trustee Duberstein and the Mayor will attend a long-term planning meeting at the Grayslake Park District so they may have some things to bring back from that meeting. The Mayor stated that the Board can figure out the important things to formally present and keep time for questions and one on one time.

Trustee Daley stated that he will have a brief explanation of the budget process. If anyone has any ideas for the Town Hall Meeting they should contact the Mayor or the Village Clerk.

Tree City USA Preparation and Discussion

The Clerk went to the Tree City website and did a preliminary review. Attorney Jim Rock did not have a model ordinance but there are guidelines on the website which can be tailored for Hainesville. The Mayor stated that she will contact Grayslake and other towns that have this for a model. The Mayor stated that Trustee Duberstein's committee can look into how to tailor it for Hainesville. The Mayor explained that for scoring better on the Emerald Ash Bore grant the Village had to state that it would commit to becoming a Tree City USA member. This has been brought up in past years. The requirements are already practiced in Hainesville; it will need to be in writing. To become a member and stay a member the Village will have to have a ceremony to plant a tree on each Arbor Day. There are also other options such as tree replacement cost sharing programs.

Mayor Soto reminded everyone that Thursday is the Avon Township Candidates Forum at the Village of Hainesville. All candidates will be present to participate. Joan Kaltsas from the Women's League of Voters will be the moderator.

Trustee Duberstein motioned to adjourn the March 12th, 2013 Regular Board Meeting; seconded by Trustee Walkington.

All in favor say aye, motion carried.

The March 12, 2013 Regular Board Meeting adjourned at 8:21 p.m.

Respectfully submitted,

Kathy Metzler, RMC, CMC
Village Clerk