

**MINUTES OF THE REGULAR MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ALGONQUIN,
McHENRY & KANE COUNTIES, IL HELD IN VILLAGE HALL ON FEBRUARY 5, 2002**

CALL TO ORDER: Village President Ted Spella called the regular meeting to order at 8:00 PM. Village Clerk Jerry Kautz Clerk called the roll.

ROLL CALL: Present: Trustees Jim Steigert, Barbara Read, Linda Wolski, Bob Smith, Constance Donner, John Schmitt. A quorum was established.
Staff in attendance: Administration – William Ganek, Michele Zimmerman, Jeff Mihelich, Ed Urban. Attorney – H. David Rogers, Engineer – Frank Cuda.

At this time, President Spella recognized the following McHenry County Board members who were in attendance to hear comments on the Northern By-Pass Corridor issue; Board Chairman, Mike Tryon, Dan Shea, Don Brewer, Ken Koehler, Ed Dvorak and Marc Munaretto. Mr. Spella also set the ground rules for the audience participation segment and stated that this Board meeting is **not** a public hearing.

PLEDGE TO FLAG: Clerk Kautz led all present in the Pledge of Allegiance.

ADOPT AGENDA: Moved by Schmitt, seconded by Wolski, to adopt tonight's agenda as printed deleting Item 14, Executive Session.
Voice vote; ayes carried.

AUDIENCE PARTICIPATION:

1. Chris Kempf, 605 Souwanas Trail, unincorporated Algonquin, presented the following letter, regarding a Community Development Committee meeting of October 23, 2001, to Clerk Kautz who was then asked by President Spella to read it into the minutes.

Chris Kempf
605 Souwanas Tr.
Algonquin Shores, IL 60102
February 5, 2002

Village of Algonquin
C/O Gerald Kautz, Clerk
2200 Harnish Dr.
Algonquin, IL 60102

RE: Omission of Statements in Minutes

Dear Village Clerk

On October 23 after being recognized by the Chair of the Community Development Committee, under the agenda item other business, I spoke to the failure of the storm water detention basin in the Algonquin Lakes subdivision and asked if the village was aware of the failure, and if there were corrected measures taken to repair the problem. My second concern I spoke of that night dealt with the apparent lack of enforcement of the silt fence requirement at and around a majority of the development sites within the village. In my comments to the Board, I also cited from a study that the major source of excessive siltation in an urban landscape is ill-managed construction sites! The Chair directed the Village Manager to document my concerns and have them addressed.

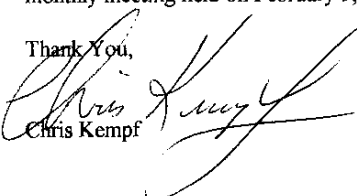
In mid-January after no noticeable improvement and no communication from the village, I reviewed the October 23 minutes and discovered no mention of my comments or the Chair's directive to the staff.

At the January 22 Community Development Committee meeting after reluctantly being recognized by the Chairman during the agenda item other business, I pointed out the seemingly obvious omission of my comments and the Chair's directive in the approved accepted minutes of the October meeting.

During the discussion of this issue, the meeting was adjourned by Trustee Schmitt when I was in mid-sentence.

The reason for this statement is obviously more important to me than it is to Trustee Schmitt. I now ask that this statement be attached and entered with the minutes of this Village Board regular monthly meeting held on February 5, 2002.

Thank You,


Chris Kempf

The following several persons addressed the Board regarding the proposed removal of the Northern By-pass Corridor from the Algonquin Comprehensive Plan:

2. William Sorrentino, 315 La Fox River Drive, Algonquin, he wishes to see his business and others revitalized in downtown Algonquin. He is concerned about future traffic congestion and is in favor of keeping the corridor on the Comprehensive Plan as option.
3. Michael Markowitz, V.P. of the Algonquin/LITH Chamber of Commerce, stated he is concerned about traffic congestion on Route 31 north of the Village. He said future growth will bring a tremendous amount of traffic and requested that the Corridor be used as a feeder road through the village.
4. Kathy McKewen, 1030 Redwood Drive, Algonquin, voiced concern about the safety of children playing on or near the Corridor and also “burglaries” that could take place if the road is built. She wants the Corridor eliminated from the Plan. She also asked the Village to do more about getting commercial business for the east side of town.
5. Karen Posmer, 108 Center Street, Algonquin, stated several issues regarding the By-pass including the building of new homes near or on the Corridor route that is being incorporated to the Village by Kennedy Home Builders. She urged the Planning & Zoning Committee to recommend the rejection of the development and then the Village Board to also reject the plan. She wants to keep the Corridor option on the Comprehensive Plan.
6. Nancy Chatfield-Taylor, 50 Center Street, Algonquin, read a statement that included several reasons to keep the By-pass option open as a hedge against future traffic increases. She also stated that if the Village allows a developer to build large expensive homes on or near the corridor it would be very hard for the Village to “tear” them down in future years to build a needed road. She asked that Trustee Wolski recuse herself from the vote as she lives on property that abuts the Corridor. In her statement she said elected officials should be supposed to vote for the greater good, not the small interest groups or their own agendas.
7. Rich Skibski, 1441 Yosemite, Algonquin, first thanked the Board for bringing business to Algonquin and specifically mentioned Life Time Fitness and the east side Wendy’s restaurant. He then stated several reasons why he thinks the Corridor should be removed from the Plan. They included environmental issues, lost homes, etc. He said the road may never be built or at least not for forty-five years or more.
8. Mary Stratejcruk, 326 Jefferson, Algonquin, spoke in favor of keeping the By-pass option in place. She referred to a McHenry County Transportation Advisory Committee’s public hearing of October 27, 1997 stating that a northern river crossing is definitely needed in the future. She said some trustees are concerned about the east side and should be doing what is right for all of Algonquin.
9. Jerry Glogowski, 730 Butterfield, Algonquin, first stated that he endorsed the western By-pass option B extended to Pyott Road, but he also declared reasons for the need of an additional river crossing north of the Village. He said all road options should be available for increased growth and traffic in the next fifteen years. He also mentioned that he contacted State Representative Rosemary Kurtz and that she and Mike Tryon of the County Board were in favor of keeping the By-pass option in place.
10. Patrick Colcernian, 1011 Glacier Parkway, Algonquin, said the Village should purchase the land and preserve it as open space. He stated the Corridor is ill conceived being too narrow, and too elevated too high and the water runoff would hurt the abutting properties. Children would also have a very difficult problem crossing the road. Another reason to remove the By-pass option was the need for traffic to flow through the Village to benefit local business and be viable for future commercial enterprises. Patrick said future growth would be from east to west, not north and south. He praised Trustee Wolski for her efforts in opposing the Corridor and said her ethics are above reproach.

(At this time President Spella asked Attorney Rogers to address the audience. Mr. Rogers said he reviewed all conflict of interest matters regarding the By-pass issue, and found no conflict of interest by any of the trustees.)

11. James Ranallo, 635 Clearview Court, Algonquin, spoke to the issue of what the Board does tonight and how it's decision will affect our children in the future for years to come. He stated that Messrs. Colcernian and Schmitt have said that there is an east to west traffic problem and not north to south, then why the need for the Western By-pass that they both supported. He referred to newspaper articles stating the need for a future road and river crossing north of town. He then asked why people that bought homes near the Corridor did not ask what would be built behind their property before purchasing it. There were signs saying that it was designated as a future transportation route. Mr. Ranallo after saying there is nothing he can do about the Western By-pass, then asked the question where were the warning signs near Huntington Drive saying there is a future Western by-pass going behind all the homes in that area and also downtown. He reiterated that Trustee Schmitt said it is an east to west problem, and then why build the south to north western route. When told by Mr. Rogers that the Corridor property was quick deeded to the Village for transportation only and not for any residential or commercial development, he responded by requesting to keep it in the Plan.

12. Barbara Keefer, 344 Bayberry, Algonquin, referred to the upcoming Presidents Day holiday, and spoke of the foresight of Presidents Washington and Lincoln. She stated that all good government officials should have the foresight to make decisions that will benefit not only current but also future generations. She said the By-pass option should remain on the Comprehensive Plan and urged the Board to keep it.

13. Trisha Kannon, 127 Division Street, Algonquin, encouraged everyone, pro or con, to get involved in government. She said the Corridor should stay on the Plan, and then asked if all residents can access the property as is. Attorney Rogers responded saying all citizens have the right to walk the land. He also said Kennedy Home Development could plan to either extend the road or build on it. Ms. Kannon then stated that our Village officials are elected at large and should do what is right for the Village as a whole and not personal interest. She implored the Board to reject removing the road option from the Plan.

14. Daniel Spillane, 1221 Yosemite Parkway, Algonquin, said he moved recently to town from the city, and that officials should count cars of east to west traffic. He said there is little north to south traffic going on Hagers Bend Road. It is his opinion people living on the Corridor have the lowest property values, and he is worried about a "super highway" going behind his home.

15. Marc Munaretto, 662 Surrey Lane, Algonquin, spoke in support of the keeping the road option open. Being a County Board member, he said that future growth and traffic in McHenry County will dictate new corridors and that removing it would be a mistake.

16. Mark Larsen, 2240 Buckthorn, Algonquin, said he favors this matter going to the Planning & Zoning Commission for a public hearing.

17. Donald Brewer, 300 Highland, Algonquin, also a McHenry County Board member, District 1, stated we must look at regional issues and that Algonquin is the cornerstone for McHenry County. He feels it is the most beautiful village in the County but that with all the traffic coming and going through the southeast portion of the County there has to be better traffic flow and the Village should not "close their eyes" by taking the Corridor out of the Comprehensive Plan. It is a drastic mistake and he implores the Village Board not to sell out future generations.

18. Sue Jolitz, 560 Majestic Drive, Algonquin, stated she was a former Algonquin Trustee and Village Clerk, and then read a statement that included several reasons for keeping the Corridor on the Plan. Among them the consensus from the County, even Civil Tech, the engineering firm hired to study the traffic problem and suggested the Western By-pass, and the widening of the intersection at Routes 31 and 62, but saying it will not work without a future northern by-pass and river crossing. She said why remove the option now, why not wait another 3 to 4 years to see if Civil Tech's projections are correct. By leaving the option open, future Algonquin village boards can look and say, those people back in 2002 were far sighted enough to preserve this land for transportation. She reminded the Board they should do what is best for the entire village.

19. Tom Menec, Glacier Parkway, claimed he is not affected one way or the other by the by-pass, but that people should be civil to one another when speaking out. He does favor removing the option.

20. Mike Tryon, McHenry County Board Chairman, stated the County Board has been good to Algonquin in the past and that they have cooperated with the Village on several matters. He said transportation through the County is a major concern for future County development and he requests that the Village leave the Northern By-pass Corridor as an option as suggested by Civil Tech Engineering who was hired by the County to review the traffic flow and make recommendations.

RECESS & RECONVENE: President Spella recessed for 10 minutes at 10:01 P.M., and reconvened the meeting at 10:11 with all trustees present.

(At this time, Mr. Spella gave the Board the opportunity to comment on the By-pass issue.)
Trustee Donner -- The Board should have confidence in the Civil Tech Report and leave the corridor on the Comprehensive Plan as they suggested.
Trustee Smith – Wants the Plan Commission to review and let citizens voice their concerns.
Trustee Schmitt – The east side of the Village will be ill served by not removing the option. He also claimed he is concerned about the Western By-pass that he voted for.
Trustee Steigert – We do not know what the next ten years will bring. We must make a decision for all residents and we owe it to ourselves to keep the corridor option open.

CONSENT AGENDA: The following items are considered routine in nature and were approved/accepted by one motion with a voice vote;

A. Meeting Minutes of Boards, Committees & Commissions:

1. Historic Commission meeting of 12/12/01 and Workshop of 12/15/01
2. Regular Village Board Meetings of 1/15/02
3. Economic Development Commission meeting of 11/08/01
4. Public Works Committee meeting of 12/18/01

Moved by Wolski, seconded by Read, to approve the Consent Agenda of February 5, 2002 as listed.
Voice vote; ayes carried.

OMNIBUS AGENDA: The following items are considered routine in nature and were approved by one motion with a roll call vote;

A. Pass Ordinances

1. **ORDINANCE 2002-O-04, APPROVING A FINAL PLAT OF SUBDIVISION FOR THE MILBROOK MARKETPLACE AND ISSUING A SPECIAL USE PERMIT AND APPROVING A FINAL PLANNED DEVELOPMENT FOR A RETAIL STORE WITH AUTOMOTIVE SERVICE FACILITY AND OUTDOOR GARDEN CENTER ON PROPOSED LOT 1 (WAL-MART)**
2. **ORDINANCE 2002-O-05, APPROVING A FINAL PLAT OF SUBDIVISION AND FINAL PLANNED DEVELOPMENT FOR PHASE 2 OF WINDING CREEK SUBDIVISION**
3. **ORDINANCE 2002-O-06, AMENDING SECTIONS 33.03 AND 33.08 OF THE LIQUOR CONTROL AND LIQUOR LICENSING REGULATIONS OF THE ALGONQUIN MUNICIPAL CODE**

Moved by Donner, seconded by Wolski, to approve the Omnibus Agenda of February 5, 2002 as listed.
Roll call vote; voting aye – Donner, Wolski, Steigert, Smith, Read, Schmitt.
Motion carried; 6-ayes, 0-nays..

APPROVAL OF BILLS:

Moved by Wolski, seconded by Smith, to approve the List of Bills for payment, as funds become available, and as recommended by the Village Manager; Bills dated 02/05/02 in the amount of \$755,286.91 and Payroll dated 01/31/02 in the amount of \$452,530.77.
Roll call vote; voting aye -- Steigert, Read, Schmitt, Wolski, Donner, Smith.
Motion carried; 6-ayes, 0-nays.

PAYMENT OF BILLS:

General Fund	\$256,229.87
Cemetery Fund	1,580.57
Motor Fuel Tax Fund	8,616.07
Street Improvement Fund	31,353.19
Swimming Pool Fund	1,799.87
W & S Operating Fund	128,862.94
W & S Improvement Fund	109,163.97
W & S Construction Fund	41,696.00
Village Construction Fund	79,017.44

School Donation Fund	588.00
Insurance Fund	75,115.02
Vehicle Maintenance Fund	<u>21,263.97</u>
Total	\$755,286.91

COMMITTEE & CLERK'S REPORTS:

GENERAL ADMINISTRATION COMMITTEE ~ Trustee Wolski reported the committee met January 29, with minutes forthcoming. Discussion centered on the 2002-03 budget. No action is required at this time.

COMMUNITY DEVELOPMENT COMMITTEE ~ Trustee Schmitt reported that the Committee met January 22, with minutes forthcoming. Three of the items discussed were on tonight's Omnibus Agenda. The following requires Board action at this time.

1. Northern By-pass Corridor issue

Moved by Schmitt, seconded by Wolski, to consider an amendment to the Village of Algonquin Comprehensive Plan Regarding the Future Northern By-pass Corridor designation.

During Discussion, Trustee Read stated that she was not on the Board when the By-pass was discussed but during research she came across a letter from an I.D.O.T. engineer stating the Northern Corridor was not needed. Based on this, she will vote in favor of moving this matter on to the Planning & Zoning Commission for review and recommendation.

Roll call vote; voting aye – Schmitt, Wolski, Smith, Read. Voting nay – Donner, Steigert. Motion carried;

PUBLIC WORKS & SAFETY COMMITTEE ~ Trustee Steigert reported that the Committee has not met since the last Board meeting.

COMMITTEE OF THE WHOLE ~ President Spella reported the Committee January 31, with minutes forthcoming. Topics were a Historic Commission presentation and Business Awards. No action is required tonight.

VILLAGE CLERK ~ Clerk Kautz announced upcoming scheduled Village meetings.

STAFF REPORTS:

VILLAGE MANAGER ~ Mr. Ganek reported the following:

He asked President Spella to make the following announcement. The Village received an Illinois State grant in the amount of \$400,000. for the development of Algonquin Lakes Park. Mr. Ganek added that the Senior Bus Program is now planned and brochures have been printed. The cancelled Bond Hearing will take place before the next Board meeting on February 17.

PUBLIC WORKS DIRECTOR ~ In the absence of Mr. Mitchard, Michele Zimmerman reported the following:

The Tree Planting Program plans have been finalized. Crystal Creek clean up is underway.

COMMUNITY PLANNING DIRECTOR ~ Mr. Mihelich reported the following:

The Planning & Zoning Commission will discuss an office building complex and Algonquin Lakes Final Plan. His time also spent on the Business Park strategies. The new KFC and A & W Root Beer will open next week.

VILLAGE ENGINEER ~ Mr. Cuda reported the following:

The Wastewater Treatment Plant Phase 5D construction meeting to take place. Working on Meyer Drive improvements and Well #6 electrical service.

POLICE DEPARTMENT ~ In the absence of Chief Laine reported the following:

The department recently completed the Stonegate Drive Speed survey. They dispensed seventy-five violations.

VILLAGE ATTORNEY ~ Mr. Rogers reported the following:

Staff has been involved with ordinance reviews, and public works issues.

CORRESPONDENCE & MISCELLANEOUS:

1. Trustee Read received phone calls regarding water billing problems and wants to refer these to committee.
2. Attorneys for the BP Gas Station are requesting their liquor license. Mr. Spella asked if a permit should be issued contingent on getting a favorable background check on the manager, and if not immediately rescind the permit. Trustee Donner adamantly was opposed to doing this as it could cause future problems for the Village. This matter will be discussed at a Liquor Commission meeting scheduled for February 19 before the next Board meeting.

OLD BUSINESS: None

NEW BUSINESS: None

ADJOURNMENT: There being no further business, it was moved by Schmitt, seconded by Wolski, to adjourn.
Voice vote; ayes carried.

President Spella adjourned the meeting at 10:45 PM.

Respectfully submitted:

Approved this 19th day of February, 2002:

Village Clerk, Gerald S. Kautz

Village President, Salvatore Spella