

**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 MAY 6, 2003**

CALL TO ORDER: Acting Village President John Schmitt 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, John Spella, Robert Smith, Constance Donner. A quorum was established.
Staff in attendance: Administration – William Ganek, Robert Mitchard, Jeff Mihelich, Russell Laine.
Attorney – H. David Rogers, Engineer – Frank Cuda.

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

ADOPT AGENDA: Moved by Schmitt, seconded by Smith, to adopt tonight's agenda as printed adding Item 5A, Proclamation, and moving Item 8A5, Water Conservation Ordinance, to Item 9 for discussion.
Voice vote; ayes carried.

PRESENTATION: Mr. Don Larson, on behalf of the Community Development Block Grant Commission, recognized the late Village President, Ted Spella, for his participation on the Commission and for his leadership in considering the issuance of Block Grants. He then presented a Plaque of Recognition to Trustee John Spella who is Ted's son.

PROCLAMATION: Clerk Kautz read a proclamation honoring Algonquin Police Officers and all Peace Officers during National Police Week, May 11 to May 17, 2003, and to also observe May 15, 2003 as Peace Officers' Memorial Day in honor of those who bravely gave their lives in service to their communities.

AUDIENCE PARTICIPATION:

1. James Ranallo, 635 Clearview Court, Algonquin, voiced his opinion regarding water conservation and a possible decrease in water rates for those who greatly conserve usage during the year. He said it was "food for thought". He also asked about violations on the former Northern By-pass Corridor by abutting homeowners. Mr. Ganek reported the Village has investigated the situation and there are several homeowner violations of personal items on Village property and that these offenders will be notified that they must remove any and all personal items within thirty days or be subject to fines.
2. Virginia Peeples, 1112 Sawmill Lane, Algonquin, voiced an emotional plea to not increase water rates this June, July, and August for those who exceed 18,000 gallons a month usage. She said taking care of her yard is her one passion as a senior citizen, and that she would take other conservation measures in order to keep her yard in shape.

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. Regular Village Board meeting of 04/15/03
2. Annual Village Board meeting of 04/25/03
3. Public Works & Safety Committee meeting of 02/06/03

Moved by Smith, seconded by Read, to approve the Consent Agenda of May 6, 2003 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 2003-O-21, ISSUE A SPECIAL USE PERMIT AND APPROVE A FINAL PLANNED DEVELOPMENT FOR A NEIGHBORHOOD COMMERCIAL CENTER WITH OUTDOOR EATING AREAS ON LOT 3 OF THE MEIJER OUTLOTS**
2. **ORDINANCE 2003-O-22, ISSUE A SPECIAL USE PERMIT AND APPROVE A FINAL PLANNED DEVELOPMENT FOR A RETAIL CENTER WITH ANIMAL CARE SERVICES (WOODSCREEK SHOPPING CENTER PHASE 3)**

3. ORDINANCE 2003-O-23, ISSUE A SPECIAL USE PERMIT TO ALLOW A TEMPORARY VETERINARY CLINIC AT THE ALGONQUIN TOWN CENTER (ALL PAWS VETERINARY CLINIC)

4. ORDINANCE 2003-O-24, CHANGING THE ADDRESS OF OLD EASTVIEW SCHOOL FROM 451 E. ALGONQUIN ROAD TO 119 S. HUBBARD STREET

Moved by Donner, seconded by Smith, to approve the Omnibus Agenda of May 6, 2003 as listed.

Roll call vote; voting aye -- Donner, Smith, Spella, Schmitt, Read, Steigert.

Motioned carried; 6-ayes, 0-nays.

DISCUSSION OF ITEM REMOVED FROM OMNIBUS AGENDA

Proposed Ordinance limiting use of Water, and changes to the Water Service Charge

Trustee Smith requested that the Board (when voting on this issue) pull them off as two separate votes, one relating to water usage, and the other to changing fees. Acting President Schmitt told him since he is the person making the motion, he could do just that.

Moved by Smith “that the items listed be taken as a two vote ordinance or amending the ordinance numbers to....” There was no second. (Motion dies for lack of a second) Acting President Schmitt said there was no reason to take the vote separately. Attorney Rogers then said there must be a new ordinance drafted since staff did not anticipate this particular move. Mr. Schmitt allowed discussion to follow with Mr. Smith saying even though he does understand the importance of having to conserve water resources, he requests changing the proposed watering hours of daily use for Green status from 5 AM to 9 AM and 6 PM to 10 PM but allowing use of hand held watering during the day for washing cars, filling kiddie pools, watering plants, and the things people are not going to get a chance to do before 9 AM or in the evenings. According to Mr. Smith, in the summer time there are certain activities that kids enjoy such as playing in the sprinkler, and he can't see taking that away during the hottest months. He also added, that if mothers would be fined \$100. if caught filling wading pools it would be too drastic. What he proposes allows for use of hand held watering on the Green status but stick to the alternate schedule on Yellow.

At this point Smith moved, seconded by Schmitt to accept the amendment with 5 AM to 9 AM and 6 PM to 10 PM with no restriction on use of hand held watering devices.

Discussion followed and Mr. Schmitt indicated he agrees with the watering conservation plan and limitations of use because even with a wet summer the aquifers cannot recover. Mr. Spella indicated that while he has no objection to people watering vegetable gardens he feels this ordinance is a necessary move to prevent a water crisis. Mrs. Read, Mrs. Donner, and Mr. Steigert all agreed adding they do not want to see another subdivision in Algonquin deprived of water because of lack of action by this Board.

Mr. Rogers, at this point, advised the Board of a procedural matter and informed them that the proper order would be to present a motion to adopt the proposed ordinance and then a motion to amend the ordinance therefore the motion on the floor is out of order. Mrs. Donner intervened requesting the motion be withdrawn if it is out of order. Mr. Smith withdrew the motion, and at this point Mr. Steigert presented the following motion.

Moved by Steigert, seconded by Read, to pass **ORDINANCE 2003-O-25, AMENDING SECTION 6A.17, LIMITATIONS ON USE OF WATER, OF THE ALGONQUIN MUNICIPAL CODE (WATER CONSERVATION PLAN CODE AMENDMENTS)**

Moved by Smith, seconded by Schmitt, to amend the ordinance with the watering hours from 5 AM to 9 AM and 6 PM to 10 PM with no restriction on handheld watering devices during Green status. Roll call vote on amendment; voting aye – Smith, Schmitt. Voting nay – Steigert, Donner, Spella, Read.

Motion defeated; 4-nays, 2-ayes.

Mr. Schmitt requested a roll call vote on the primary ordinance.

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

Motion carried; 4-ayes, 2-nays. (Ordinance 2003-O-25 passes)

APPROVAL OF BILLS:

Moved by Read, seconded by Smith, to approve the List of Bills for payment, as funds become available, and as recommended by the Village Manager; Bills dated 05/06/03 in the amount of \$621,965.41 and Payroll dated 04/30/03 in the amount of \$302,902.23.
Roll call vote; voting aye -- Read, Schmitt, Spella, Donner, Smith, Steigert.
Motion carried; 6-ayes, 0-nays.

PAYMENT OF BILLS:

| | |
|---------------------------|---------------|
| General Fund | \$90,584.71 |
| Cemetery Fund | 2,170.00 |
| Motor Fuel Tax Fund | 22,107.50 |
| Street Improvement Fund | 8,986.06 |
| Swimming Pool Fund | 50,643.61 |
| W & S Operating Fund | 45,267.08 |
| W & S Bond Interest Fund | 428.00 |
| W & S Improvement Fund | 246,804.22 |
| W & S Construction Fund | 57,722.41 |
| Village Construction Fund | 80,410.53 |
| Vehicle Maintenance Fund | 16,199.29 |
| Debt Service Fund | <u>642.00</u> |
| Total | \$621,965.41 |

COMMITTEE & CLERK'S REPORTS:

COMMITTEE OF THE WHOLE ~ Acting President Schmitt reported the Committee has not met under it's new structure. The first meeting will be May 13th.

COMMUNITY DEVELOPMENT COMMITTEE ~ Trustee Steigert reported the committee met under the old structure April 22 with minutes forthcoming. Items discussed were on tonight's Omnibus Agenda with no further action required tonight.

VILLAGE CLERK ~ Mr. Kautz announced upcoming scheduled Village meetings.

STAFF REPORTS:

VILLAGE MANAGER ~ Mr. Ganek reported the following:

The Village has one of the lowest tax rates of any of the communities in the area, with a rate 47 cents of \$100. of assessed evaluation.

PUBLIC WORKS DIRECTOR ~ Mr. Mitchard reported the following:

Water production update - Water Treatment Plant 3 Treat Ability study is almost complete. The report on testing Well 14 states the water quality is excellent as is the production estimates. The Lions Municipal Pool is ready for filling on May 17. The Public Works Building is now scheduled for an August 1 opening. Cardinal Drive construction will be completed in about two weeks

COMMUNITY PLANNING DIRECTOR ~ Mr. Mihelich reported the following:

Economic Development Commission will meet Thursday to discuss Business Park marketing. The Planning & Zoning Commission will discuss the Square Barn Road Campus for the Huntley School District. Plans for a new upscale Steak & Seafood restaurant have been submitted and is planned to open this September located near the BP Station.

VILLAGE ENGINEER ~ Mr. Cuda reported the following:

Algonquin Hills Phase 3 construction has begun but has been difficult due to underground facility conflicts. Back fill on Huntington Drive hill will be completed within the next two weeks.

POLICE DEPARTMENT ~ Chief Laine reported the following:

Several officers will participate as an honor guard at ceremonies in Springfield for the Police Memorial Day. The Department has been involved with developing Mental Health Protocol measures to help in dealing with such issues. There will be a police auction on May 17 for items recovered by the Department. Village flags will be at half-staff on May 15 in honor of Police Memorial Day.

VILLAGE ATTORNEY ~ Mr. Rogers reported the following:

His staff has involved with zoning matters and water conservation matters.

CORRESPONDENCE & MISCELLANEOUS: None

OLD BUSINESS: None

NEW BUSINESS: None

ADJOURNMENT: There being no further business, it was moved by Smith, seconded by Read, to adjourn.

Voice vote; ayes carried.

The meeting was adjourned at 9:00 PM.

Respectfully submitted:

Approved this 20th day of May, 2003:

Village Clerk, Gerald S. Kautz

Acting Village President, John Schmitt