

**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 JUNE 17, 2003**

CALL TO ORDER: Acting Village President John Schmitt called the regular meeting to order at 8:00 PM. In the absence of Village Clerk Jerry Kautz, Deputy Clerk Jenna Kollings called the roll.

ROLL CALL: Present: Trustees Constance Donner, Robert Smith, John Spella, Barbara Read, Jim Steigert; Acting Village President John Schmitt. A quorum was established.

Staff in attendance: Administration – William Ganek, Robert Mitchard, Jeff Mihelich, Ed Urban.
Attorney – Dave Rogers, Engineer – Frank Cuda.

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

ADOPT AGENDA: Moved by Schmitt, seconded by Smith, to adopt tonight's agenda as printed, deleting item 15, Executive Session.
Voice vote; ayes carried.

AUDIENCE PARTICIPATION:

Deputy Clerk's Note: A petition submitted to the Village of Algonquin on June 11, 2003, from residents of the Creekside Villas is on file at Village Hall.

1. Tim Polley, 7 Waterfront, presented himself as the President of the Homeowner's Association for the Villas of Creekside. He expressed concerns regarding the incoming Winding Creek subdivision, especially relating to the loss of trees along the property line adjacent to the new subdivision, the inability to participate in the public hearing for Winding Creek that was held in 1999, and the difference in the height of the fence surrounding his neighborhood. He offered four solutions to their concerns, as follows: He requested to amend the ordinance to change the height of the four foot fence to six foot; he wanted the developer to agree to follow the requirement to place a six foot berm along the property line; he asked that the \$20,000 tree donation be allocated to their subdivision; he requested that the Village arborist provide for a ten to fifteen foot preservation area along the property line.

Mr. Mihelich responded to Mr. Polley's comments. Mr. Mihelich emphasized that the Village takes public participation very seriously, and follows the law as it relates to public hearings and notice. He stated that both Creekside and Winding Creek subdivisions, which were approved in 1999, were done by the book. The Village received similar arguments about the Creekside development from neighbors when it broke ground. He informed Mr. Polley that the \$20,000 was indeed a donation, as the developer had a permit; the funds were used to distribute trees throughout the Village. Mr. Mihelich also indicated that the Board cannot change the number of units in Winding Creek, since that amount was agreed to previously in agreements with the developer. Mr. Mihelich explained the code as it relates to the fence requirements, and that the developer installed both four foot and six foot fences in certain areas for aesthetic reasons and to enhance the feel of a gated community. The fence is four feet in height in the areas adjacent to the wetlands.

Acting President Schmitt stated that the Village is happy to work with the residents. They should remember that people who own land have certain rights. Mr. Ganek added that, if the berm is planned for a wooded area, they may lose trees in order to install the berm, which may not be desirable. Acting President Schmitt reiterated that the Village will make sure that all ordinances were followed, and Mr. Ganek stated that staff will check the property lines.

2. Darlene Erxleben, 18 Waterfront Court, is angry about the tree loss adjacent to Creekside subdivision. She emphasized her desire for a six foot berm between the Creekside and Winding Creek properties, with trees and bushes planted on the berm. Mr. Ganek responded that, if the developer for Winding Creek has removed the wrong trees, he will follow up on the berm issue.
3. Mary Stratejcruk, 326 Jefferson Street, announced that there are a lot of opportunities to volunteer in the Village, and that she is recruiting people to help with Founders' Days. She also encouraged people to come to the Village Board meetings in order to become informed. She expressed concern about the traffic situation on Harnish west of Randall. Cars park on

both sides of Harnish as people go to the ball fields and the library. She feels that the lighting is not ideal, and there is no way to safely cross Randall Road to get to the library. She believes that an overhead walkway is too expensive, but she urged the Board to look into this problem before someone gets hurt.

Mr. Mihelich explained that Randall Road is controlled by McHenry County Highway Department. He stated that the County will put in a pedestrian controlled crossing when the Miller property is developed.

4. Marylee Nowak, Waterfront Court, said that she has a background in real estate, and she is concerned about property values in her neighborhood. She said that she paid a premium for her property due to the view of the trees. She shares the previously mentioned concerns about the fence. She also feels that there is a noticeable change from phase 2 to phase 3, as the backs of the buildings are noticeably lower quality in phase 3. She asked the Board to consider these factors in future development.
5. Raymond Alford, Winding Creek, announced that he has lived in his home for six weeks, and he still does not have a driveway. He spoke with Building Commissioner Craig Arps, and was told that his driveway would be installed June 25. He asked if the developer has a performance bond and can the Village make them do it? He also expressed concern about a body of water pooling by the drain, and its potential interference with installation of his driveway.

Mr. Ganek explained that the developer is responsible for installation of the driveway. Mr. Schmitt added that Village staff will contact the developer the next day.

6. Carl Gustafson, 2865 Waterfront, inquired about annexation agreements. He also expressed his frustration about the fence issue previously mentioned. He asked if the Board will present their grievances to Pulte, and Mr. Ganek responded that he will do so.
7. M. M. Jackson, 2816 Waterfront, stated that she has a grievance with Pulte. She paid a premium for her lot, and now feels that the premium should be refunded. Attorney Dave Rogers informed Ms. Jackson that the Village is not empowered to mediate or enforce private contracts between homeowners and developers.
8. Mr. Polley and the Board continued their discussion regarding the fence and the differing heights. He emphasized that the main issues are the installation of the berm and the removal of the trees. Mr. Ganek responded that the Village will follow up with the homeowners and the developers.

Trustee Smith inquired if the Board could stop work on the Winding Creek development until this issue was handled. Acting President Schmitt responded that, at this time, the Board does not know if the developer is in violation, so staff will follow up as discussed. Mr. Ganek reiterated that he will be in touch with homeowners and the developer. Trustee Donner inquired as to how many homeowners of Creekside paid a premium for their lot; numerous hands in the audience were raised.

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. Village Board meeting of 6/3/03.
2. Committee of the Whole meeting of 6/10/03.

B. Village Manager's Report for May 2003

Moved by Smith, seconded by Read, to approve the Consent Agenda of June 17, 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-29, AMENDING SECTION 43.08, OPEN BURNING, OF THE ALGONQUIN MUNICIPAL CODE**
2. **ORDINANCE 2003-O-30, ESTABLISHING PREVAILING WAGE RATES FOR JUNE 2003**
3. **ORDINANCE 2003-O-31, AUTHORIZING A LICENSE AGREEMENT WITH FORESITE MANAGEMENT, INC. FOR HIGH SPEED WIRELESS INTERNET SERVICE**

4. **ORDINANCE 2003-O-32, AMENDING SECTION 41.18, STOP INTERSECTIONS, OF THE ALGONQUIN MUNICIPAL CODE**

C. Authorize Agreements

1. **With McHenry County for Traffic Signal Maintenance**

(a) **Harnish Drive and Randall Road**

(b) **Square Barn Road and Algonquin Road**

B. Adopt Resolution

1. **RESOLUTION 2003-R-11, AUTHORIZING AN APPLICATION FOR IMPROVEMENTS TO CORNISH PARK THROUGH THE ILLINOIS DEPARTMENT OF NATURAL RESOURCES OSLAD GRANT PROGRAM**

Moved by Donner, seconded by Smith, to approve the Omnibus Agenda of June 17, 2003 as listed.

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

Motioned carried; 6-ayes, 0-nays.

APPROVAL OF BILLS:

Moved by Read, seconded by Steigert, to approve the List of Bills for payment, as funds become available, and as recommended by the Village Manager; Bills dated 6/17/03 in the amount of \$1,371,096.60 and Payroll expenses dated 6/15/03 in the amount of \$322,872.94.

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

Motion carried; 6-ayes, 0-nays.

PAYMENT OF BILLS:

General Fund	\$179,217.23
Motor Fuel Tax Fund	11,682.85
Street Improvement Fund	141,631.61
Swimming Pool Fund	37,331.24
Park Fund	75,255.82
W & S Operating Fund	37,993.81
W & S Improvement Fund	206,329.23
W & S Construction Fund	22,412.12
Cul de Sac Fund	1,680.00
Village Construction Fund	632,449.15
Vehicle Maintenance Fund	25,113.54
Total	\$1,371,096.60

COMMITTEE & CLERK'S REPORTS:

COMMITTEE OF THE WHOLE ~ Trustee Steigert reported the committee met May 27, with minutes on file at Village Hall. Items discussed at the meeting, including the ordinance regarding open burning, prevailing wage rates, the high speed wireless internet agreement, Cornish Park grant submittal, and traffic issues, were approved on tonight's Omnibus agenda. In addition, the Lions Club presented their proposal for the Algonquin Hill Climb event. Some of the Board members had concerns about the extent of the event and the manpower requirements; the Board suggested that the Lions Club reduce the scope of the event to start out. The Board also considered the Fox Valley Regional Transportation Plan; it was recommended at Committee that the plan be submitted to McHenry County for their review prior to the Village Board pledging its support.

The following action is required at this time.

1. Moved by Steigert, seconded by Read, to accept the bid and award the contract for the Gaslight North Street Improvement project to Geske and Sons in the amount of \$410,710.55.

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

Motion carried; 6-ayes, 0-nays.

2. Moved by Steigert, seconded by Read, to accept the bid and award the contract for the Water Treatment Plant 2 Site Improvements to Schroeder Asphalt Services, Inc. in the amount of \$37,130.95.

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

Motion carried; 6-ayes, 0-nays.

3. Moved by Steigert, seconded by Schmitt, to accept the donation of a portion of the Sangiorgio property for a future well site.

Roll call vote; voting aye – Steigert, Donner, Smith, Spella, Schmitt, Read.
Motion carried; 6-ayes, 0-nays.

VILLAGE CLERK ~ In the absence of Clerk Kautz, Deputy Clerk Kollings announced upcoming scheduled Village meetings.

STAFF REPORTS:

VILLAGE MANAGER ~ Mr. Ganek reported the following:

Mr. Ganek had no report.

PUBLIC WORKS DIRECTOR ~ Mr. Mitchard reported the following:

His department has been doing preparatory work on several engineering projects. He has also been busy with community development reviews and engineering reviews, including the Crystal Creek realignment, Braewood lift station, Water Treatment Plant filters, and Hanson Road booster station.

The Public Works facility is moving along, with asphalt, paving, drywall, electrical, plumbing, and landscaping underway. He has also been working with the Human Resources department on recruitment of maintenance workers.

Acting President Schmitt inquired about the status of the water system. Mr. Mitchard replied that it is doing fairly well; however, pumpage has been increasing over the past several days. Since we have not had any rainfall, he expects usage to continue to increase significantly over the weekend. He recommended to the Board that they consider switching to yellow status. Mr. Schmitt responded that he will approve changing to yellow on Thursday if there has been no significant rainfall.

ASSISTANT VILLAGE MANAGER - DEVELOPMENT ~ Mr. Mihelich reported the following:

The Cornish Park plan public hearing took place on June 16, with a good turnout of approximately 20-25 people. The grant writing consultant will continue preparing the grant application. On Friday, the Village will sponsor the first Algonquin Conservation Community Day, focusing on Woods Creek. It will take place from 10:00 a.m. until 1:00 p.m., and will include a recycled art contest, games for children, and other events.

Next Tuesday, the Committee of the Whole will have a full agenda, including the Indian Lakes, age-restricted development which is proposed for the corner of Routes 62 and 25. Also, an open house on traffic calming will be held; over 180 invitations were sent out for this event.

Target has received a soft certificate of occupancy, which means that they can start stocking their store in preparation for an end-of-July opening.

Acting President Schmitt requested a summary of the comments received at the Cornish Park public hearing.

VILLAGE ENGINEER ~ Mr. Cuda reported the following:

Curb and gutter will be installed on Harrison Street as part of the Algonquin Hills Phase 3 project. Bids were received for the salt storage dome facility; a recommendation will be forwarded to the Village Manager. He will be scheduling a pre-construction meeting for the Gaslight North project. The annual High Hill Farms dam inspection is scheduled for June 20.

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

The Police Department has been busy making preparations for Founders' Days. On June 6, Sergeant Brett Wisnauski graduated from Northwestern University's School of Police Staff and Command.

VILLAGE ATTORNEY ~ Mr. Rogers reported the following:

He distributed to all trustees an updated version of the Municipal Code and accompanying ordinance for review and discussion at a future meeting. His office has been working with Public Works on easement issues. He has also been working on the land acquisition for the well site.

CORRESPONDENCE & MISCELLANEOUS:

Acting President Schmitt reported that he and Mr. Ganek met with a representative from Senator Fitzgerald's office and discussed the Village's concerns about school districts and transportation issues.

OLD BUSINESS:

Acting President Schmitt asked trustees to respond to Mary Schmieder as to whether or not they will be attending the upcoming Municipal League dinner.

NEW BUSINESS:

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 9:29 PM.

Respectfully submitted:

Approved this 1st day of July, 2003:

Deputy Village Clerk, Jenna R. Kollings

Acting Village President, John Schmitt