



VILLAGE OF KILDEER
BOARD OF TRUSTEES
TUESDAY, FEBRUARY 3RD, 2009

1. **CALL TO ORDER**

The rescheduled meeting of the Board of Trustees of the Village of Kildeer was held on Tuesday, February 3, 2009, at the Village Hall, 21911 Quentin Road, Kildeer, Illinois, per Notice (LZ Herald 1/30/09).

President Stefaniak called the meeting to order and led the Pledge of Allegiance at 7:33 pm. Upon roll call the following were:

Present: President Stefaniak, Trustees: Black, Coughlin, Scacci, Stratman and Taborek

Absent: Trustee Bell

Other Officials Present: Attorney Bauer, Chief Lilly & Administrator Schreiber.

2. **REQUESTS TO ADDRESS THE BOARD**

None

3. **RESIDENT'S COMMENTS**

None

4. **CONSENT AGENDA**

A. Minutes of Regular Board Meeting 1/6/09

Correction: Page 1, Item-2-B Trustee Black asked if candidates with knowledge of Illinois Law

Correction: Page 3, Item-6-B-2 Motion by Coughlin, second by Bell to send

B. Minutes of Meeting with Consultant 1/20/09

C. Minutes of Committee-of-the-Whole 1/20/09

D. Minutes of the Public Works Committee 1/20/09

E. Minutes of Committee-of-the-Whole 1/27/09

Motion by Coughlin, second by Taborek to approve the Consent Agenda B-E as presented.

Upon voice vote:

YES: 5 - Black, Coughlin, Scacci, Stratman and Taborek

NO: 0

Absent 1 - Bell

Motion carried 5/0

Motion by Coughlin, second by Taborek to approve the Consent Agenda A as corrected

Upon voice vote:

YES: 5 - Black, Coughlin, Scacci, Stratman and Taborek

NO: 0

Absent 1 - Bell

Motion carried 5/0

5. COMMISSION REPORTS**A. Plan Commission****1. Special Use – Realty Office**

A Public Hearing will be held on this matter next Tuesday.

2. Special Use – Cricket Communications Cell Tower

Cricket Communications did not get their publication done in time for a Public Hearing this month. If publication is made a Public Hearing will be held in March.

6. OFFICIALS REPORT**A. President – Stefaniak****1) VOK/VLZ Intergovernmental Agreement**

President Stefaniak has not received a response from VLZ President Tolomei. This matter can be removed from future agendas.

2) Kemper Lakes Population Impact Fees

Special Attorney Bauer attended in Attorney Cope's absence. Developer Frank Blazeovich addressed the Board. Mr Blazeovich is negotiating to buy the Westbury phase in Kildeer Lakes; he has reached an agreement, in concept, to buy the plan for 68 duplex units subject to final plat approval; he asked to extend the whole PUD project for 1 year; wants to keep the preliminary Plat in place and final Plat the whole project in phases; has a builder ready to start and that as a show of good faith would put \$175,000 in Escrow.

President Stefaniak stated that the \$340,000 impact fee is due now.

Trustee Coughlin stated the proposal of several years ago may not be acceptable now. She is concerned about going forward and would prefer for PUD to be vacated and the planning process repeated so there is communication with a new developer.

Steve Vouzapaitis commented that if they were to restart the planning process they would probably lose this opportunity.

President Stefaniak stated a full presentation would be required including what is intended to be built. The question before the Board was whether to give an extension, or revoke the PUD. As a separate issue, the Village is owed over \$700,000 in population fees.

If the PUD is kept in place and time is given for the developer to give the Board information, the developer can get the preliminary PUD financed. Trustee Scacci noted that if the impact fees had been paid, there would not be a problem.

Vouzapaitis' Attorney Joan Berg stated that if VOK terminates the PUD a developer cannot be brought in, or approached because there will be nothing there. From a lender's prospective if there is no zoning, no one will be able to get financing to purchase or develop the land.

Attorney Bauer felt it was important not to lose sight of the ultimate vision; it would be most appropriate to enable the project to get off the ground and VOK get some fees. If the Developer starts the project and

later decides for or against proceeding, VOK has no obligations to approve the remainder of the project.

President Stefaniak asked the Developer to present at the March 17th Committee Meeting. Mr Blazeovich or counsel are to attend the April 6th Board meeting and give a status report and let the Board know if they are ready to present on the Committee Night scheduled for April 21st.

\$25,000 is to be placed into escrow by Steve Vouzapaitis tomorrow; no access will be permitted to the Village Attorney or Engineer until that is done.

3) 5/3 Bank Final PUD Ordinance 09-O-1033

Project Attorney Dan Shapiro reported that all conditions of the Plan Commission recommendation had been met and asked for final approval. President Stefaniak noted that the plat showing a one-lot subdivision must be presented prior to recording.

Motion by Stratman, second by Black to pass the Ordinance approving the Final Plat and Plan for a Commercial Planned Development, Special Use at the Intersection of Rand Road and Quentin Road in Order to Construct a Fifth Third Bank with a Drive Through Facility (09-O-1033) as presented.

Upon roll call:

YES: 5 - Black, Coughlin, Scacci, Stratman and Taborek

NO: 0

Absent: Bell

Motion carried 5/0

B. Administrator - Schreiber

1) 07/08 Audit

Motion by Taborek, second by Stratman to accept the 4/30/08 Annual Financial Report by Sikich as presented

Upon roll call:

YES: 5 - Black, Coughlin, Scacci, Stratman and Taborek

NO: 0

Absent: 1 - Bell

Motion carried 5/0

2) Presentation of 09/10 Draft Budget

This will be discussed at the additional Committee meeting on February 10th.

3) Ordinance Amending the Admin. Adjudication Provisions 09-O-1032

This amendment permits VOK to use their Judge for such things as building, zoning, sign and non-moving violations.

Motion by Taborek, second by Coughlin to pass the Ordinance Amending the Village Code Provisions re: Administrative Adjudication (09-O-1032) as presented.

Upon roll call:

YES: Black, Coughlin, Scacci, Stratman and Taborek

NO: 0

Absent: 1 - Bell

Motion carried 5/0

- 4) Ordinance Adopting LC Watershed Development Amend. 09-O-1031
This Ordinance adopts the new amendments to the Lake County watershed development provisions by reference.
Motion by Coughlin, second by Black to pass the Ordinance Adopting by Reference the Lake County Watershed Development Ordinance (09-O-1031) as presented.
Upon roll call:
YES: 5 - Black, Coughlin, Scacci, Stratman and Taborek
NO: 0
Absent: 1 - Bell
Motion carried 5/0

C. Treasurer – Schreiber

- 1) Cash Revenue Summary 01/31/09 (totaling \$296,253.15)
2) Cash Disbursement Summary 01/31/09 (totaling \$424,280.31)
Motion by Coughlin, second by Stratman to approve the Cash Revenue Summary and Cash Disbursement Summary as presented.
Upon roll call:
YES: 5 - Bell, Black, Coughlin, Scacci, Stratman and Taborek
NO: 0
Absent 1 - Bell
Motion carried 5/0

D. Attorney

- 1) Kirkley Rd. Vacation
This matter is in suspense.
- 2) Comcast Franchise Renewal
Administrator Schreiber wanted to draw Board members attention to the fact that there had been very detailed in their concerns with respect to Attorney Ferrolo's interchange with Comcast. Lake Zurich, Libertyville and some other municipalities will all get the same service regardless, and the Village could be incurring a lot of legal fees going back and forth over small details. It was decided that Administrator Schreiber should talk with Attorney Ferrolo re: cutting legal work down to what is essential.

E. Building Commissioner/Zoning Admin.

- 1) Building Permits – January
A total of 160 permits were issued in 2008, including 4 residences, 17 additions and 17 alterations/remodeling
For January, 2009: 4 residences and 1 remodel

F. Director of Public Works

No report

G. Chief of Police – Lilly

- 1) January Activity Report
114 criminal arrests, 186 calls for service including 22 traffic accidents
- 2) STEP
67 STEPS resulting in 30 traffic citations.

- 3) Joe Burke
Office Joe Burke has resigned from KPD, electing to continue his career in the private sector.
- 4) Redspeed
450 red light traffic violations were issued; 75% pay rate for January.

7. **BOARD STANDING COMMITTEE REPORTS**

- A. Building & Zoning – Coughlin
No report
- B. Environmental – Black
 - 1) SWALCO
 - a) City of Waukegan
Letters were sent by Village Presidents, including President Stefaniak, to the City of Waukegan asking for reconsideration with respect to their membership in SWALCO.
 - b) February 13th Event
The Board is invited to attend a SWALCO event to be held on February 13th at Key Lime Cove, Gurnee.
- C. Public Works – Taborek
 - 1) Ditch Maintenance Pamphlet
A draft letter has been completed and will be distributed to residents in March.
 - 2) Drainage Expenditures
Budget \$75,000 next year for drainage issues.
 - 3) Driveway Aprons
Discussed use and cost of asphalt for driveway apron replacements. Decided to notify each homeowner of cost for restoration of non-asphalt aprons, homeowner can pay prior to the beginning of the road program, for the homeowners to complete. Policy is to be noted in the spring newsletter, on the website and by individual letters to homeowners in each annual road program area.
 - 4) Snow/Ice Control Projects
Costs are over budget; increase 2009-2010 budget to \$225,000.
 - 5) ROW Repair Policy
The Director of Public Works was directed to address issues of 22155 Little Pond in writing.

- 6) Entry Signs
Add \$3,000 line item to sign budget for 2009/2010 to revamp Nature Center Sign and all VOK entry signs.
- D. Youth & Recreation - Bell
No report, absent
- E. Committee-of-the Whole – President Stefaniak
 - 1) Rt 12 Long Range Planning
 - a) Quentin Road Bike Path
A meeting is to be held next week among Administrator Schreiber, the Deer Park Administrator and Paula Trigg of Lake County Department of Transportation to attempt to reach an agreement with regard to Quentin Road Bike Path.
 - 2) Preparation for Collective Bargaining
Attorney Kelly to report when negotiations are to commence.
 - 3) Resignations/Replacements
Proposals and recommendations have been requested.
 - 4) HCS 2006-2007 Fees
Trustee Stratman will review HCS invoices, verify and make recommendations for payment.
 - 5) Finance Committee - Stratman
 - a) Pension Funds
Chairman of the Pension Fund, Don Biciste attended the 1/27/09 Committee of the Whole meeting to give a fund update.
 - b) Public Safety Alternatives
This matter is tabled to Committee as a Whole.

8. UNFINISHED BUSINESS

- A. Interim Village Administrator - PAR Group
3 individuals are interested in the Interim Administrator position. They will be invited to attend Committee Night for interviews at 6:00 pm, 6:30 pm and 7:00 pm. The Board will then adjourn to Executive Session to determine who will be hired. President Stefaniak will ask if the individuals can attend the March Committee night instead of the April 21st meeting previously arranged with the PAR Group.
- B. Guns in the Board Room
Trustee Scacci asked whether a report had been put together regarding prohibiting police officers from carrying guns in the Board Room. Chief Lilly stated he had performed a survey of police agencies and none had gun policies in place. The matter is to be discussed at the Committee of a Whole in March.

C. Report re: Atrium

Trustee Scacci had asked for a written report regarding the Atrium sign matters.
A memo from Administrator Schreiber was distributed to the Board.

9. NEW BUSINESS

None.

10. RESIDENT COMMENTS

None

11. EXECUTIVE SESSION

None

12. ADJOURNMENT

Motion by Taborek, second by Coughlin to adjourn

Upon voice vote:

YES: 5 - Black, Coughlin, Scacci, Stratman and Taborek

NO: 0

Absent 1 - Bell

Motion carried 5/0

The meeting duly adjourned at 9:53 p.m.

Jackie de Boer
Village Clerk Pro-Tem