

Village of Lily Lake
Approved Minutes of the Regular Meeting of the Board of Trustees
Monday, July 21, 2014

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Call to Order: President, Jesse Heffernan called the Board Meeting to order at 7:00 p.m.

Roll Call: Present – Ray Ivancic, Wendy Ivancic, Rick Overstreet, Janet Marlovits and Mary Rose Damisch
Absent - Steve Wise

Also present: Michelle White, Village Clerk; Steve Zahn, Plan Commission Chair and Lisa Engberg, Village Treasurer.

Absent - Alex McTavish, Village Attorney and Erik Hoofnagle, Public Works Director

Public present: Jim Fleming, Mike Carlson, and Mark Lindborg

Adoption of the Agenda: Motion by R. Ivancic, seconded by Overstreet to adopt the agenda.

Motion by R. Ivancic, seconded by Overstreet to adopt the July 21, 2014 agenda as presented. *Voice vote, motion passed unanimously.*

Minutes of June 16, 2014 Board Meeting: Motion by R. Ivancic, seconded by Marlovits to accept the minutes of the June 16, 2014 meeting.

Motion by R. Ivancic, seconded by Marlovits to accept the minutes of the June 16, 2014 meeting. *Voice vote, motion passed unanimously.*

Public Comments:

Mike Carlson introduced himself and extended an invitation to the President and Board of Trustees to “The Lodge” for a Meet and Greet on September 8 for the Kane County Republican Party.

Mr. Fleming thanked the President and Board for getting the Delgado property cleaned up. He also inquired about an update on the Migonis property. R. Ivancic stated that the Public Hearing Officer found them in violation and the Village is free to levy fines. President Heffernan stated that it will need to court and a judgment will need to be issued, than a lien will need to be placed on the property. Migonis are renters, so the owners would have a lien on the property. President Heffernan stated because of the safety of the person hired, she is reluctant to hire someone to go on the property to mow the lawn, etc. Because it appears that the tenants are moving, she is willing to give it a little more time in hopes to avoid the legality and cost of placing a lien on the property.

Mr. Fleming would like to see the Village consider requiring the older housing be brought up to code, prior to a sale. President Heffernan will continue to discuss the possibility with the Attorney, however because of the Village is under staffed, it is probably not likely to happen.

Mr. Fleming asked if Hanson Rd. would be striped this year. According to President Heffernan, it is not in the budget.

Mark Lindborg – Had no comment

Consideration of Bills, Ordinances, and Resolutions:

Ordinance 2014-05- Amending Village Code-Chapter 5-Fees, Subchapter 1 – Building Permits - Motion by Overstreet, seconded by Marlovits to approve Ordinance 2014-05

Motion by Overstreet, seconded by Marlovits to approve Ordinance 2014-05. *Roll call vote, motion passes unanimously.*

Item 7b- Amending the Appropriations – Tabled

Resolution 2014-15-Accepting the Proposal of Freehill Asphalt, Inc. for Crack Repairs to Village Roads - Motion by Overstreet, seconded by Marlovits to approve Resolution 2014-15.

President Heffernan explained that Freehill Asphalt from Southern Illinois and they will be in the area the next week or two. Erik asked for the Board to approve the bid to get crack filling done throughout the Village as well as in the SSAs. Trustee Overstreet asked to if the bill would be divided up among the Village and the SSAs. President Heffernan said that it would be. Overstreet asked if it would involve pot hole filling or just crack filling. President Heffernan believes it is just for the crack filling, but is unsure.

Motion by Overstreet, seconded by Marlovits to approve Resolution 2014-15. *Roll call vote, motion passes unanimously.*

Resolution 2014-13 Accepting the Proposal of Active Excavating, Inc. for Drain Repairs – Motion by Marlovits, seconded by Damisch to approve Resolution 2014-13

President Heffernan explained that there was some blockage in the pipe on Cochise. Active went out and scoped the piped. Damisch stated that there are trees roots causing the blockage, this has been a problem for a while. According to Erik this is something that may need to be done every 4-5 years. Trustee Damisch asked if there was a way to find out which tree was causing the problem, because it may be better to just remove the tree.

Motion by Marlovits, seconded by Damisch to approve Resolution 2014-13. *Roll call vote, motion passes unanimously.*

Resolution 2014-14 Exercising the Village’s Option to Extend Active Excavating Contract for Snow Removal Services for the 2014-15 Season – Motion by Marlovits, seconded by R. Ivancic to approve Resolution 2014-14.

This is a 3 year standing bid with Active Excavating and the Village can extend the original bid as long as Active does not increase the price. Active is not increasing the price this year.

Motion by Marlovits, seconded by R. Ivancic to approve Resolution 2014-14. *Roll call vote, motion passes unanimously.*

Resolution 2014-16 Approving a Progress Payment to Mark Lindborg in Connection with the Simon Anderson Park Pavilion Project. Motion by Overstreet, seconded by Marlovits to approve Resolution 2014-16.

President Heffernan explained that this is for the completion of the piers being poured per new contract. MEL has gone beyond that point. This payment is contingent on receiving paperwork such as waivers of liens and other documents that have been required per the contract that was agreed to by both parties. MEL's attorney sent an email to Jesse stating that all the paperwork has been turned into Alex. Jesse was unable to confirm that with Alex prior to tonight's meeting. The Board can however, approve the payment and when she receives confirmation that all paperwork has been received, the check can then be issued. That way it doesn't have to way for the August Board meeting.

Mark Lindborg stated that all the paperwork was delivered to Alex's office on Friday 7/17. Mark stated that the waivers are null and void if the payment is not made by tonight or tomorrow. Jesse did send Mark's attorney an email today, 7/21/14 regarding prevailing wage documents. Jesse and Michelle have both contacted Alex to verify that all paperwork has been received. Even if Mark's attorney faxes/emails all paperwork to Jesse, she does not feel comfortable approving the paperwork and releasing the check without Alex's approval. Alex has been in contact w/Mark's attorney and they have known all along that this paperwork was required before the check was released.

Mark stated his attorney would be willing to meet with him and give him copies of the paperwork and then Mark could bring back the paperwork to the Village. Mark than asked if that would suffice, so that the check could then be issued tonight. President Heffernan stated that the paperwork needed to be run through the attorney and she does not feel comfortable approving the paperwork and releasing the check with Alex's approval.

Mark left the meeting.

President Heffernan reiterated the Board's options.

R. Ivancic suggested to approve the Resolution and hold the check until Alex returns and can verify all the documents are received, rather than waiting until the August Board meeting.

President Heffernan asked Steve Zahn if he felt the job done has been done to the specifications required. He feels it has been. In the process of getting a few new pieces that arrived defective.

Motion by Overstreet, seconded by Marlovits to approve Resolution 2014-16. *Roll call vote, motion by unanimously.*

Appointment of Tim Dell to Planning Commission –

President Heffernan explained that she contacted Mr. Dell, he lives in Hazelwood. He has helped the Village with the Forest Preserve, in trying to get a happy medium with the gulley. He has helped a few times with the cleanup days at the Village Hall. Damisch stated that he has also0 helped with some Scout projects. R. Ivancic and Overstreet both stated that they would endorse him.

Bills: The bill summary was passed to the Board for approval. Motion by R. Ivancic, seconded by Damisch to approve bills from 6/13 – 7/17/2014.

W. Ivancic questioned the "Old 2nd" bill. The charges on that are for the monthly website charge as well as to Fed Ex a check to Porter Corp. The late fee and finance charge need to be removed from last month's bill because it came in after the June Board meeting and was due prior to July's Board meeting. Michelle called to have it removed and since

Jesse is the only authorized contact, she needs to call. The bill for tonight is just for the website charge of \$29.98 (June & July) and the Fed-Ex charge, it does not include the late fee or finance charge.

Motion by R. Ivancic, seconded by Damisch to approve bills from 6/12 – 7/17/2014. *Roll call vote, motion passes unanimously.*

Old Business: Trustee Overstreet asked about the school sign. Jesse stated they are waiting for IDOT. Private contractor need a bond. County or intergovernmental agreement. Need IDOT's approval. Contacted ERA to

Damisch asked about plans for the next steps for the Park. Steve explained that the next step is to complete the floor, driveway and to get concrete hauled away. He is hopefully the pavilion will be completed by fall.

New Business: R. Ivancic asked the Board to consider the idea of overseeing the HOA's spending of the SSA money at a Board level. He is concerned about the potential of mismanagement of money and believes it would help having a check and balance system in place. Jesse thought that would be a conflict of interest.

R. Ivancic has accepted an additional teaching assignment, so he must step down from the Zoning Officer position as of the end of July as well as the Planning Commission. President Heffernan thanked Ray for his services.

Damisch asked if the Village could have the Township clean-up the intersection of Route 47 & I.C. Trail. The heavy rains have caused the gravel to create a "wash out" situation and President Heffernan stated that, that is IDOT's right of way. Damisch will email Erik and have him contact his IDOT contact and get it cleaned up.

President Heffernan announced that Michelle will be leaving the clerk's position as of the beginning of August. There will be a gap between the clerk start date and the official appointment of the clerk.

Adjournment: Motion by W. Ivancic, seconded by Marlovits to adjourn at 7:50 p.m. *Voice vote, motion passed unanimously*

Submitted by Michelle White, Village Clerk