



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Board of Trustees Meeting

February 21, 2019

Call to Order

The meeting was called to order at 7:30pm.

Roll call was answered by Trustees Huckins, Bogdanowski, Harlfinger, Dustin, Bojarski, Artinghelli, and President Ruzanski.

Also present were Village Administrator Jennifer Clough, Assistant Village Administrator/Finance Director Shane Johnson, Chief of Police Dave Brey, Public Works Director Dan Kaup, Director of Community Services Fred Mullard, Village Attorney Brad Stewart and Deputy Village Clerk Nancy Sujet.

Pledge of Allegiance was led by President Ruzanski.

Public Comment on Agenda Items: Dennis Sandquist, Director of Planning & Development with McHenry County, updated the Village Board regarding the County's Water Resource Action Plan. The County would like the village to be involved in the process. The last update was in 2009. The first meeting is scheduled for March 13, 2019 and meetings will be held monthly thereafter.

Consent Agenda

A. Motion to accept and place on file the minutes of the January 22, 2019 Committee of the Whole meeting.

B. Motion to accept and place on file the minutes of the January 24, 2019 Village Board meeting.

Motion to approve Consent Agenda items A-B was made by Trustee Harlfinger and seconded by Trustee Huckins. On roll call vote Trustees Dustin, Harlfinger, Artinghelli, Bojarski, Bogdanowski, and Huckins voted Aye. No Nays. Motion carried.

Omnibus Agenda

A. Motion to waive the provisions of Section 43.09, "Noise" from 2:00pm until 11:59pm and suspend enforcement activities to allow the installation of temporary signage on Henry Lane for events being held by Club 400 on May 2, 2019 and July 18, 2019 at 3090 Henry Lane.

B. Motion to pass Ordinance 2019- _____, An Ordinance Amending Chapter 31, Section 31.02A, "License Required", and Section 31.02E, "Conduct of Raffles", of the Lake in the Hills Municipal Code.

C. Motion to pass Ordinance 2019- _____, An Ordinance Amending Chapter 33, Liquor Control and Liquor Licensing Section 33.26D Fines, Section 33.27F Appeal, Section 33.32 Penalty, and Appendix B, Comprehensive Fine and Fee Schedule of the Lake in the Hills Municipal Code.

D. Motion to waive the competitive bidding process, approve and authorize the Village President to execute a one year agreement with Windy City Amusements Inc. to supply amusements for the 2019 Summer Sunset Festival.

E. Motion to approve and authorize the Village President to execute the 2019-2023 McHenry County Narcotics Task Force Intergovernmental Agreement with McHenry County Sherriff's Office.

F. Motion to approve and authorize the Village President and Village Clerk to execute a Plat of Easement with Realty Income Properties 3, LLC

G. Motion to approve and authorize the Village President and Village Clerk to execute a Plat of Easement with 251 Randall, LLC.

H. Motion to approve and authorize the Village President and Village Clerk to execute a Plat of Easement with Amerco Real Estate Company.

I. Motion to pass Resolution 2019- _____ A Resolution for Construction on State Highway.

J. Motion to approve and authorize the Village President to execute a Five-Year Agreement from March 28, 2019 until Marcy 27, 2024 with Crawford, Murphy, and Tilly, Inc. for Airport Consulting Services.

K. Motion to pass Ordinance 2019- _____, An Ordinance Authorizing the Disposal of Surplus Property Owned by the Village of Lake in the Hills.

L. Motion to pass Resolution 2019- _____, An Resolution Endorsing the Metropolitan Mayors Caucus' Greenest Region Compact 2.

Trustee Dustin made a motion remove Item C

Trustee Harlfinger made a motion to remove Items F, G & H

Motion to approve the Omnibus Agenda items A, B, D, E and I-L was made by Trustee Harlfinger and seconded by Trustee Huckins. On roll call vote Trustees Dustin, Bogdanowski, Artinghelli, Huckins, Harlfinger, and Bojarski voted Aye. No Nays. Motion carried.

Approval of the Schedule of Bills:

Motion to approve the February 22, 2019 Schedule of Bills total of all funds \$218,163.24 was made by Trustee Bogdanowski and seconded by Trustee Harlfinger. On roll call vote Trustees Harlfinger, Bojarski, Artinghelli, Huckins, Dustin, and Bogdanowski voted Aye. No Nays. Motion carried.

Motion to approve the January 2019 Manual Bills total of all funds \$1,398,119.25 was made by Trustee Bogdanowski and seconded by Trustee Harlfinger. On roll call vote Trustees Dustin, Bojarski, Harlfinger, Artinghelli, Huckins and Bogdanowski voted Aye. No Nays. Motion carried.

Village Administrator and Department Head Reports: Director of Community Services informed the Village Board that there will be three focus group meetings for the Voice of Customer. They are scheduled for Saturday, February 23rd at 9am, Tuesday, February 26th at 11am and Thursday, February 28th at 6:30pm, all at Village Hall.

Board of Trustee Reports: None

Village President Reports: None

Unfinished Business –

Trustee Dustin made a motion to Amend item C from the Omnibus Agenda to reflect the Appendix B Comprehensive Fine and Fee Schedule to indicate first liquor offense to a maximum fine of \$2,000.00 and subsequent offenses to a maximum fine of \$6,000.00 and as otherwise stated.

C. Motion to pass Ordinance 2019- _____, An Ordinance Amending Chapter 33, Liquor Control and Liquor Licensing Section 33.26D Fines, Section 33.27F Appeal, Section 33.32 Penalty, and Appendix B, Comprehensive Fine and Fee Schedule of the Lake in the Hills Municipal Code was made by Trustee and seconded by Trustee Huckins.

Trustee Huckins asked why the change? President Ruzanski stated that the village is trying to bring it into comparison with our neighbors. Past fines were all over the board. Staff conducted a comparison with municipalities. President Ruzanski stated that the Commissioner does not know all of the facts until you sit down at the hearing. Trustee Huckins asked if the Liquor Commissioner has sole discretion on the fines. President Ruzanski stated yes, up to the fines stated in Appendix B. Chief Brey stated that going back to 1998 we had fines as low as \$300 and as high as \$11,000.

Trustee Harlfinger went over the fines within the ordinance stating that the fines are up to \$2,000 for first offence and up to \$6,000 for subsequent offences. He also stated the Village of Algonquin's fines. Trustee Huckins asked why we do not have a suspension in our code. Attorney Stewart stated that we do have language within the code stating that we can impose a fine and/or a suspension or revocation of license.

Trustee Dustin asked what determines that, just the circumstances. Attorney Stewart stated the broad discretion of the Liquor Commission. President Ruzanski stated repeated offenses against it is the main reason he likes the up to \$2,000 for the first offense. He thinks if the individual asked for an ID is different from if they did not even bother to ask for an ID. Just an example of a circumstance that could come up.

Trustee Harlfinger asked if someone has a fine in the past, say 15, 20 years ago, and then just recently has another issue. Do we hold their entire record of existence against them. Will we take in consideration that time has past? President Ruzanski stated that he personally would not want to suspend a license because it could take them out of business, he does not want to do that. If there are offenses year after year, then maybe that businesses license needs to be looked at again.

Attorney Stewart asked for a point of order and asked if we should present this as a combined motion to amend and approve so that it can be done in one motion, as long as Trustee Dustin and Huckins agree? Trustee Dustin and Trustee Huckins stated yes, amend and approve as one motion.

On roll call vote Trustee Bojarski, Dustin, Artinghelli, Bogdanowski, Harlfinger and Huckins vote aye. No Nays. Motion carried.

F. Motion to approve and authorize the Village President and Village Clerk to execute a Plat of Easement with Realty Income Properties 3, LLC was made by Trustee Huckins and seconded by Trustee Bogdanowski.

Trustee Harlfinger stated that he only pulled the item since it is regarding the Randall Road Project.

On roll call vote Trustee Dustin, Artinghelli, Bogdanowski, Huckins and Bojarski voted aye and Trustee Harlfinger voted nay. 5 Ayes and 1 Nay. Motion carried.

G. Motion to approve and authorize the Village President and Village Clerk to execute a Plat of Easement with 251 Randall, LLC was made by Trustee Huckins and seconded by Trustee Dustin.

Trustee Harlfinger stated that he only pulled the item since it is regarding the Randall Road Project.

On roll call vote Trustee Artinghelli, Bogdanowski, Huckins, Dustin, and Bojarski voted aye and Trustee

Harlfinger voted nay. 5 Ayes and 1 Nay. Motion carried.

H. Motion to approve and authorize the Village President and Village Clerk to execute a Plat of Easement with Amerco Real Estate Company was made by Trustee Huckins and seconded by Trustee Dustin.

Trustee Harlfinger stated that he only pulled the item since it is regarding the Randall Road Project.

On roll call vote Trustee Bojarski, Dustin, Artinghelli, Bogdanowski, and Huckins voted aye and Trustee Harlfinger voted nay. 5 Ayes and 1 Nay. Motion carried.

New Business – None

Audience Participation: - Paula Yensen, McHenry County Board District 5, stated that she hopes the Village will participate with McHenry County on updating the Water Resources Action Plan. She stated that the County is visiting with all of the municipalities. She also asked the Village Board to reach out to her with any questions and that she is here to help.

Trustee Harlfinger thanked Ms. Yensen for having Mr. Young provide information to the businesses on the Randal Road Corridor regarding the Randall Road project.

Ms. Yensen also thanked staff for doing a job well done on plowing the streets and keeping them safe.

Motion to enter into Closed Session to discuss Collective Negotiating Matters between the Public Body and its employees and Probable Litigation per 5ILCS 120/2(c) was made by Trustee Harlfinger and seconded by Trustee Dustin. Trustee Harlfinger asked if there would be a motions coming out of Closed Session. Attorney Stewart and President Ruzanski stated no. Other than to adjourn.

On roll call vote Trustee Huckins, Bogdanowski, Harlfinger, Bojarski, Dustin and Artinghelli voted Aye. No nays. Motion carried.

Motion to reconvene the Village Board meeting was made by Trustee Harlfinger and seconded by Trustee Dustin. On roll call vote Trustees Artinghelli, Bojarski, Huckins, Bogdanowski, Harlfinger, and Dustin voted Aye. No Nays. Motion carried.

Adjournment: Motion to adjourn the Village Board meeting was made by Trustee Harlfinger and seconded by Trustee Dustin. On roll call vote Trustees Dustin, Harlfinger, Bogdanowski, Huckins, Bojarski and Artinghelli voted Aye. No Nays. Motion carried. The meeting of the Lake in the Hills Board of Trustees was adjourned at 8:42p.m.

Submitted by,

Nancy Sujet
Deputy Village Clerk