



**THE VILLAGE OF HAWTHORN WOODS
VILLAGE BOARD MEETING MINUTES
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS
JANUARY 22, 2008
7:30 P.M.**

I. CALL TO ORDER AND ROLL CALL

Mayor Hunt called the meeting to order at 7:52 pm. Roll call indicated that the following were present: Trustees Riess, Morgan, Gehrke, Wright, Weick and Mayor Hunt. Trustee Silvers was excused absent. There was a quorum.

Other staff present included: Donna Lobaito, Asst. Village Administrator; Jessica Paul, Village Attorney; Chris Burke, Christopher Burke Engineering; Lee Fell, Christopher Burke Engineering; Jennifer Paulus, Chief of Police; Kim Lynch, Recreation Director; Chris Miller, Rolf Campbell and Associates; Jim Maiworm, Public Works Director; and Denise Kauffman, Community Affairs Coordinator.

II. PLEDGE OF ALLEGIANCE

III. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Phil Lagro, 9 Westwind, addressed the Board to say that he was opposed to the Canadian National and EJ& E merger. Lagro stated that the consequences of such merger would be devastating to local community. Lagro asked what the position of the Board was regarding the pending merger. Mayor Hunt reviewed the Resolution addressing the merger that would be presented later in the meeting and after the Resolution is passed it will be presented to the STB, CN and EJ&E.

Phil Lagro also addressed the issue of littering in the village and requested that attention be paid this spring to items discarded and enforcement.

IV. CONSENT AGENDA

It was requested that Items D, E, G, H, N, O, P, S and U be removed from the Consent Agenda.

- A. Minutes of the Regular Meeting – December 17, 2007
- B. Open Invoice Listing Dated January 16, 2008

- C1. Open Invoice Listing Dated January 22, 2008
- C2. Paid Invoice Listing Dated January 16, 2008
- F. Approval Of An Ordinance Granting Final Planned Unit Development Plan And Plat Approval And Related Matters - Hawthorn Woods Country Club Phase 5 – 32.85 Acres On The North And South Sides Of Schwerman Road, 3,500 Feet West Of Gilmer Road
- I. A Resolution Authorizing The Execution Of A Contract – Sikich – Audit Services
- J. A Resolution Authorizing The Execution Of A Contract – Harris (MSI Software) – Software Modification
- K. Resolution Regarding The Operation, Maintenance And Repair Of A Dam At The Weatherstone Development
- L. A Resolution Approving A Second Amendment To The Declaration Of Protective Covenants – Countryside Meadows
- M. A Resolution Authorizing The Acceptance Of A Deed And Bill Of Sale Regarding Outlots A, B And C – Countryside Meadows
- Q. A Resolution Addressing The Canadian National Railroad Acquisition Of The EJ&E Rail Line
- R. A Resolution Authorizing The Execution Of A Contract – Lake County Health Department And Community Health Center Animal/Rabies Control Program – Fees For Service Agreement
- T. A Resolution Authorizing The Mayor And Village Clerk To Execute A Certain Utility Easement Agreement – Young Men’s Christian Association Of Chicago (YMCA)
- V. A Resolution Authorizing The Execution Of A Contract – Ela Soccer Organization

Motion by Trustee Wright and seconded by Trustee Riess to approve the Consent Agenda.

Roll Call Vote:

Ayes: Riess, Morgan, Gehrke, Wright and Weick.

Nays: none

Absent: Silvers

Abstaining: none

Motion carries.

Motion by Trustee Gehrke and seconded by Trustee Riess to approve Item D., An Ordinance Amending The Village Code Of The Village Of Hawthorn Woods – Title 9, Adding A New Chapter 18 – Zoning, Historic Preservation.

Discussion included Trustee Weick questioning the need for such ordinance at this time and stating that the Zoning and Overlay in the village are already restrictive enough and the ordinance as presented is too broad in specifying what could be considered historic. Trustee Riess agreed with Trustee Weick and further suggested that the homeowners should come to the village seeking historical designation, not the village going to homeowners and naming their property as historic. Mayor Hunt explained that the Historic Preservation Committee is a zoning tool to control what goes where and that this ordinance authorizes the creation of the commission and empowers them to look at property. Creating the commission also gives residents a process to go through, this is an enabling process and the commission makes recommendations to the Board of Trustees and the Board has the final vote. Trustee Gehrke made a motion to table until more discussion and review could be done by individual Trustees. No second on that motion and the motion died.

Resident Phil Lagro spoke and said that the Plan Committee had discussed the addition of a Historic Preservation Committee and that Plan Committee voted to recommend the approval.

Roll Call Vote:

Ayes: None

Nays: Riess, Morgan, Wright, Weick.

Abstain: Gehrke

Absent: Silvers

Motion fails.

E. Motion by Trustee Wright and seconded by Trustee Weick to approve Item E., an Ordinance Amending The Village Code Of The Village Of Hawthorn Woods – Title 1, Section 1-9-3 – Contracts And Purchases.

Discussion included that this exact item had already been previously passed by the Board. Upon review, Attorney Jessica Paul said it did appear to be the same as ordinance previously passed. Motion was withdrawn.

G. Motion by Trustee Gehrke and seconded by Trustee Weick to direct the Village Attorney to draft an ordinance Amending The Village Code Of The Village Of Hawthorn Woods – Title 9, Chapter 3, Adding A New Section 9-3-15 – Portable Storage Units And Dumpsters; Amending Title 11, Chapter 1, Adding A New Section 11-1-1K – Permit Fees.

On a voice vote, unanimous approval and motion passes.

H. Motion by Trustee Gehrke and seconded by Trustee Weick to approve Item H, A Resolution Authorizing The Execution Of An Employment Agreement – James Bassett – Village Administrator.

Discussion included process for termination of contract and it was determined that state law provides that the mayor has the right to appoint and remove the village administrator; if the mayor is to remove the village administrator he has an obligation to notify the board in writing of his decision to terminate the village administrator, list the reasons and this decision can be overturned if two-thirds of the board vote to overturn it. The text of the contract was amended to include the following paragraph in the contract: The Mayor shall abide by state statutes in his right to terminate the services of the employee. The original motion was modified to include that the contract be amended.

Roll Call Vote:

Ayes: Morgan, Gehrke, Wright, Weick

Nays: Riess

Absent: Silvers

Abstain: none

Motion passes.

- N. Motion by Trustee Gehrke and seconded by Trustee Wright approving A Resolution Authorizing The Execution Of A Contract - ENVIRON International Corporation – Odor Investigation – Hawthorn Woods Country Club. Discussion included Trustees asking why Toll Brothers isn't entering into this contract themselves with the residents in and around 66 Tournament Drive South. Jim Hepler of Toll assured the Board that Toll will pay for the cost of this. Jim Hepler also said that since the resident finished the basement of their home and sealed the sump crock that they no longer smelled the odor. Again, the Board asked Jim Hepler if Toll Brothers will reimburse the Village of Hawthorn Woods for the \$10,000 fees and if it is necessary that Toll will go after Aqua Illinois themselves to recover any fees. Jim Hepler agreed to this on behalf of Toll Brothers. Trustees and Board also said if they approve this resolution that Toll could decide in the next few days to just enter the contract themselves and this resolution would not be needed.
- Roll Call Vote:
- Ayes: Riess, Morgan, Gehrke, Wright, Weick
- Nays: none
- Abstain: none
- Absent: Silvers
- Motion passes.
- O. Motion by Trustee Gehrke and seconded by Trustee Morgan to approve A Resolution Waiving The Competitive Bidding Process And Authorizing The Mayor To Enter Into A Contract For Paving – SSA #3 – Paving. Discussion included Trustee Riess asking why this only addresses SSA#3 and why the competitive bidding process is being waived. Christopher Burke and Lee Fell told the Board that the price is being held at 5% for both 2008 and 2009 and recommend approving this contract.
- Roll Call Vote:

Ayes: Morgan, Gehrke, Wright, Weick and Mayor Hunt
Nays: Riess
Absent: Silvers
Abstain: none

Motion passes.

P. Motion by Trustee Riess and seconded by Trustee Morgan to table this Resolution Waiving The Competitive Bidding Process And Authorizing The Mayor To Enter Into a Contract For Installation Of Landscaping – SSA #3 – Landscaping. Discussion included that Public Works Director Jim Maiworm said that based upon his review he recommends that the Board hold off on passing this resolution because Maiworm feels the Public Works Department can handle this in-house. On a voice vote, unanimous approval, motion passes.

S. Motion by Trustee Morgan and seconded by Trustee Gehrke to approve A Resolution Endorsing The Metropolitan Mayors Caucus Greenest Region Compact. Discussion included amending the resolution to include such items as a “no idling” policy for public works equipment and also amending the resolution to authorize including a mailing to all residents detailing the compact. Mayor Hunt pointed out that this resolution was to endorse the compact as presented by the Metropolitan Mayors Caucus. On a voice vote, unanimous approval, the motion passes.

U. Motion by Trustee Wright and seconded by Trustee Morgan to approve a Resolution Regarding Aquatic Center Pool Passes – 2008 Season. Discussion included increase in fees for passes and number of new families expected this year and the amount waived in fees for passes this year because of last year’s delayed opening. On a voice vote, unanimous approval, motion passes.

V. REPORTS BY VILLAGE OFFICIALS

A. Comments by Village Board Members

1. None this month

B. Comments by Village Administrator

1. Motion by Trustee Wright and seconded by Trustee Weick to approve the Countryside Meadows – Letter of Credit Reduction Request. Discussion included the Board asking Christopher Burke Engineering for a recommendation and they recommended passing the request. Mayor Hunt asked if they were sure the paving could be done for that amount. Chris Burke assured it could be done.

Roll Call Vote:

Ayes: Riess, Morgan, Gehrke, Wright, Weick.

Nayes: none
Absent: Silvers
Abstain: none
Motion passes.

2. Motion by Trustee Wright and seconded by Trustee Weick Countryside Meadows – Donation Letter of Credit Reduction Request.

Roll Call Vote:

Ayes: Riess, Morgan, Gehrke, Wright, Weick.

Nayes: none

Absent: Silvers

Abstain: none

Motion passes.

3. Village attorney was approved to draft Vehicle Sticker Rate Increase to be presented at next meeting. Discussion included that it had been eight years since the last increase to sticker prices.

VI. REPORTS BY VILLAGE COMMITTEES

A. Parks and Recreation -----*Neil Morgan*
(minutes provided)

B. Environmental Committee -----*Steve Riess*

1. Bulb Planting – Trustee Riess discussed that the Environmental Committee would like to plant daffodils and other similar plants along Midlothian, Fairfield, Old McHenry roads in a manner similar to planted in Long Grove. This will be a civil service project, done year-to-year, the committee will seek donations and it will not require any funding or time from the village. The Board asked that Trustee Riess come back to the Board for approval when a more definitive plan had been developed.

2. Tree Removal – Identification and Timeframe – Trustee Riess discussed the Dutch Elm disease in the trees and the need to remove them. It was discussed that 30 days is too long of a period to wait from notification of the homeowner and tree removal. Mayor Hunt said that the 30 day period is state law. Trustee Riess stated that village needs to be more aggressive. Mayor Hunt reminded everyone that the cost of removal lies with the property owner. Trustee Riess suggested that there are 400 trees that could be affected including trees along Falker and Lagoon and that the village should remove them at its own expense, even if it is \$800 per tree, he feels so strongly about removal. The Board advised that the trees first need to be identified and that needs to happen in the spring. Trustee Riess will provide by March 1 an insert or information to be included in the next village newsletter.

3.

- C. Zoning Board of Appeals-----*Keith Hunt*
- D. Plan Commission ----- *Keith Hunt*
- E. Architectural Review Commission -----*Cliff Wright*
(minutes provided)
- F. Finance Committee -----*Jim Silvers*
(minutes provided)
- G. Police and Public Safety -----*Joanne Weick*
(minutes provided)
- H. Water & Infrastructure Committee-----*Greg Gehrke*

VII. UNFINISHED BUSINESS

None.

VIII. NEW BUSINESS

None.

IX. EXECUTIVE SESSION

Motion by Trustee Gehrke and seconded by Trustee Wright to adjourn to Executive Session to discuss personnel matters and any pending or possible litigation. Mayor Hunt said no new business would be discussed upon return from Executive Session. On a voice vote, unanimous approval to adjourn to Executive Session.

Meeting adjourned to Executive Session at 10:10 pm.

X. ADJOURNMENT