



**THE VILLAGE OF HAWTHORN WOODS  
VILLAGE BOARD MEETING  
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS  
MONDAY, SEPTEMBER 23, 2019  
7:00 P.M.**

**MINUTES**

**I. CALL TO ORDER AND ROLL CALL**

Mayor Mancino called the meeting to order at 7:00 p.m. Roll call indicated the following members were present: Mayor Mancino, Trustees Kaiser, Kosik, Riess, Corrigan, DiMaggio and David.

Also present were Chief Operating Officer Pamela Newton, Chief Administrative Officer and Village Clerk Donna Lobaito, Chief Financial Officer Kristin Kazenas, Chief of Police Jennifer Paulus, Public Works Director and Village Engineer Erika Frable, PE, Director of Parks and Recreation Brian Sullivan, and Village Attorney Patrick Brankin.

**II. PLEDGE OF ALLEGIANCE**

**III. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

**Kim Roach, 33 Old Lake Road** – Ms. Roach asked that the Board vote to opt out of recreational cannabis sales, and that the Village notify residents of the next meeting date this item would be discussed.

**Gail Margarites, 16 St. John Drive** – Ms. Margarites thanked the Board for placing the cut-through traffic issue on tonight’s agenda.

**Gary Gorson, 30 Lakeview** – Mr. Gorson addressed the Board about cut-through traffic on Lakeview and St. John Drive. He suggested the Board explore the installation of gates with passes being distributed to residents.

**Chris Margarites, 16 St. John Drive** – Mr. Margarites stated that the no left turn signs worked years ago on reducing cut-through traffic in his subdivision.

**Nathan Herbst, 17 St. John Drive** – Mr. Herbst indicated he supported some type of cut-through reducing measures be taken as well.

**IV. MAYOR’S REPORT AND COMMITTEE REPORTS**

A. Mayors Report -----Joseph Mancino, Mayor

1. Appointment of Karen Johanson to the Hawthorn Woods In Bloom Committee

Motion by Riess, second by David to appoint Karen Johanson to the Hawthorn Woods In Bloom Committee.

Roll call vote.

Ayes: Kaiser, Kosik, Riess, Corrigan, DiMaggio, David

Nays: None

Abstain: None

Absent: None

Motion carried.

2. Discussion Regarding Cut-Through Traffic and the Consideration of the Placement of Signage on Gilmer and Old McHenry Roads

Mayor Mancino stated he heard of the cut-through traffic issue from a resident on St. John Drive. He mentioned that this issue is a problem in other areas of the Village and that when the Village takes action in one area, the problem moves to another area in the Village. He also noted that the significant amount of road construction on the outskirts of the Village is playing into this issue. He indicated the Village would explore the suggestion of gates.

Chief Paulus said a study was conducted which found that the average daily volume on St. John Drive is 720 cars, which is not unusual. She said studies around the Village have found the same numbers of vehicular traffic on other roads in the Village going all the way to Route 12.

Chief Paulus said the police spent 17 hours between August 14 and August 30 on a STEP program patrolling this area and made 13 stops during this time. Nine were ticketed with eight being for speeding and one for cell phone usage. Of the nine, four of those issued citations were residents of Hawthorn Woods.

Mr. Margarites suggested “No Cut Through Traffic” signs; however, Chief Paulus said this would be an enforcement issue, because there has to be probable cause to stop someone.

Some of the suggestions that will be explored included speed bumps, gates, reducing the speed limit, the placement of a dummy patrol car, signage, speed trailer usage and better communications.

3. Discussion and Direction Regarding Cannabis Business Establishments

Village Attorney Patrick Brankin reported that as of January 1, 2020, the private use of recreational cannabis will be legal in the state of Illinois. He indicated municipalities cannot restrict private use, but they can limit zoning for the sale of cannabis. Licenses for the sale of cannabis will be issued by the state, but some municipalities will be opting out. If the Village chooses to opt out, an ordinance will be prepared for next month’s meeting. If the Village chooses to opt in, a public hearing would be required to amend

the zoning code. Mr. Brankin said the Village can create an ordinance on public consumption. Lastly, he stated the Act allows for a 3% tax.

Discussion ensued regarding home cultivation and the impact to the Village from a human resources perspective.

Trustee Riess stated the Village may want to consider the opt out option; however, allow for growers and infusers as this could generate a 20% tax.

Ms. Newton noted that the Village can elect to opt out now, and opt in later. If we opt out, the Village would still receive our share of the sales tax.

The direction of the Board was to draft an ordinance opting out.

B. Environmental Committee-----John Bickley, Chair  
Steve Riess, Trustee Liaison

No report this month.

C. Zoning Board of Appeals-----John Kosik, Chair  
Dominick DiMaggio, Trustee Liaison

No report this month.

D. Planning, Building and Zoning Commission -----Jim Merkel, Chair  
Dominick DiMaggio, Trustee Liaison

1. Approval of an Ordinance Amending the Village Code of the Village of Hawthorn Woods; Adding Chapter 19, Outdoor Lighting; Amending Title 9, Section 9-6A-4, Exterior Lighting Restricted; Amending Title 9, Section 9-6A1-4, Exterior Lighting Restrictions; Amending Title 9, Section 9-6B-4, Condition of Use; Amending Title 9, Section 9-7-6, Design Standards and Required Improvements; Amending Title 9, Section 9-9A-3, Pictorial Exhibits; Amending Title 9, Section 9-9A-6, Streetscape/Landscape Elements; Amending Title 9, Section 9-9A-7, Signs; Amending Title 9, Section 9-9B-3, Special Uses; Amending Title 9, Section 9-9B-4, Exterior Lighting Restrictions; Amending Title 9, Section 9-9C-4, Exterior Lighting Restrictions; Amending Title 9, Section 9-11-3, Additional Regulations, Parking; Amending Title 9, Section 9-12-3, General Requirements; Amending Title 9, Section 9-12-9, Signs on Property Adjacent to U.S. Route 12 and Other U.S. Highways Designated as Federal Aid Program Highways; Amending Title 9, Section 9-13-8, Glare; Amending Title 9, Section 9-15-7, Standards; and Amending Title 2, Section 2-2-6, Certificates of Approval

Motion by Riess, second by DiMaggio to approve an Ordinance Amending the Village Code of the Village of Hawthorn Woods; Adding Chapter 19, Outdoor Lighting; Amending Title 9, Section 9-6A-4, Exterior Lighting Restricted; Amending Title 9, Section 9-6A1-4, Exterior Lighting Restrictions; Amending Title 9, Section 9-6B-4, Condition of Use; Amending Title 9, Section 9-7-6, Design Standards and Required Improvements; Amending Title 9, Section 9-9A-3, Pictorial Exhibits; Amending Title 9,

Section 9-9A-6, Streetscape/Landscape Elements; Amending Title 9, Section 9-9A-7, Signs; Amending Title 9, Section 9-9B-3, Special Uses; Amending Title 9, Section 9-9B-4, Exterior Lighting Restrictions; Amending Title 9, Section 9-9C-4, Exterior Lighting Restrictions; Amending Title 9, Section 9-11-3, Additional Regulations, Parking; Amending Title 9, Section 9-12-3, General Requirements; Amending Title 9, Section 9-12-9, Signs on Property Adjacent to U.S. Route 12 and Other U.S. Highways Designated as Federal Aid Program Highways; Amending Title 9, Section 9-13-8, Glare; Amending Title 9, Section 9-15-7, Standards; and Amending Title 2, Section 2-2-6, Certificates of Approval.

Ms. Newton reported that the Planning, Building and Zoning Commission recommended the approval of this ordinance. She noted the Village has been following the philosophy of Dark Skies for quite some time.

Mr. Fell noted that the ordinance was reviewed by the Dark Skies Initiative Committee and that it meets their standards.

The Board asked questions about unintended consequences for residents' ability to comply with these standards when remodeling and also with holiday lights. Landscape lighting would not be affected by these standards and that there was an allowance for holiday lighting.

Ms. Newton indicated the Village would work to educate the residents and business owners of the new standards.

Roll call vote.

Ayes: Kaiser, Kosik, Riess, Corrigan, DiMaggio, David

Nays: None

Abstain: None

Absent: None

Motion carried.

E. Finance Committee-----Jayne Kosik, Chair

Kelly Corrigan, Trustee Liaison

Trustee Kosik noted a deficit due to litigation matters. She said the Committee recommended moving forward with the sewer rate study which was last done in 2015.

1. Discussion Regarding Sewer Rate Study

Mayor Mancino stated that his experience with sewer rate studies is that the findings always indicate a rate increase is needed, not a reduction in rates, so he questioned why the Finance Committee was recommending this study. Trustee Corrigan responded that the rate study was scheduled to be conducted in 2020; however, a number of Stonebridge residents reached out to the Village about their sewer bills which prompted the committee's recommendation to move the study up by one year. Mr. Fell indicated the study would take 6 weeks to complete. The results will be presented to the Finance Committee first.

**Raquel Eschbach, 128 Flint Creek** – Ms. Eschbach stated the issue residents have is with the IGA between Hawthorn Woods and Lake Zurich. They want it renegotiated. Mayor Mancino spoke of the difficulty of renegotiating the IGA. He indicated he has spoken to the Mayor of Lake Zurich about the IGA and that the reality is that Hawthorn Woods is not being singled out as other communities served by Lake Zurich are paying similar out of district rates. He noted that the rate increases are backed by engineering and administrative studies and are not random and arbitrary. Ms. Eschbach suggested that builders should notify potential residents of what they are going to pay.

**Smit Thakkar, 115 Flint Creek** – Mr. Thakkar said his sewer bill is \$190 per month and that he received a \$2,500 bill for 18 months of service that he has not yet paid.

**Emmy Koh** – Ms. Koh asked for justification on their rates and asked for a comparison of our rates with those of Kildeer and Lake Zurich. Mayor Mancino suggested she FOIA Kildeer and Lake Zurich for their rates.

Ms. Koh asked if the Village reviewed the sewer rate study when it entered into the IGA with Lake Zurich. Mayor Mancino responded yes, but that it was a different Board then. Trustee Corrigan said the Village has communicated with William Ryan Homes and K. Hovnanian to inform buyers of the sewer rates.

**Mr. Thakkar, 115 Flint Creek** – Mr. Thakkar asked about the rounding up of rates. Ms. Kazenas noted that there is no fractional billing. She also noted that when the initial sewer rate study was conducted in 2015 there were only two users, so assumptions were made at that time. She said that the Village Engineer will have more information for accuracy this time. Trustee Corrigan stated that only Hawthorn Woods rates will be studied, not Lake County's or Lake Zurich's rates.

Ms. Newton informed the residents that Lake County recently increased their sewer rates and that the Stonebridge residents would be realizing this increase soon.

**Mr. Desai, 113 Flint Creek** – Mr. Desai inquired about personal consumption such as cooking and watering. Ms. Kazenas noted that there is a seasonal rate adjustment.

**Mrs. Desai, 113 Flint Creek** – Mrs. Desai asked if more users were connected to the system, would their rates go down. Mayor Mancino responded no, but the delta in the difference in the increases may go down. Ms. Frable reminded residents Lake Zurich sends their effluent to Buffalo Grove which is why the majority of their rates are from Lake Zurich.

Ms. Kazenas apologized to the residents for not billing them in 18 months. She said all residents received a payment plan with no additional late fees being added. When asked if the Village was going to adjust or waive some of the fees, Ms. Kazenas responded no, because the usage occurred.

The use of a deduct meter for pool and lawn water usage was discussed by Ms. Frable.

Ms. Newton said she has met with Lake Zurich’s administrator, Ray Keller, who is aware of their concerns. She said Mr. Keller indicated Lake Zurich residents will not financially support residents outside their Village. He indicated the rate our residents are charged is based upon their costs, and that the costs are justified by a rate study.

2. Approval of an Ordinance Authorizing the Execution of the Proposal to Perform Professional Engineering Services – Sewer Rate Study Update, Midlothian Road Sewer System—Christopher B. Burke Engineering, Ltd.

Motion by Riess, second by Corrigan to approve an Ordinance Authorizing the Execution of the Proposal to Perform Professional Engineering Services – Sewer Rate Study Update, Midlothian Road Sewer System—Christopher B. Burke Engineering, Ltd.

Roll call vote.

Ayes: Kaiser, Kosik, Riess, Corrigan, DiMaggio, David

Nays: None

Abstain: None

Absent: None

Motion carried.

Mayor Mancino asked for a 10 minute break at 9:30 p.m.

The meeting resumed at 9:40 p.m. with all Board members being present.

3. Approval of the July Financial Statements

Motion by Riess, second by Kosik to approve the July Financial Statements.

Roll call vote.

Ayes: Kaiser, Kosik, Riess, Corrigan, DiMaggio, David

Nays: None

Abstain: None

Absent: None

Motion carried.

F. Hawthorn Woods In Bloom-----Megan Masana, Chair  
James W. Kaiser, Trustee Liaison

Ms. Newton stated the national symposium will be in St. Charles this year.

## V. NEW BUSINESS

### A. Consent Agenda

1. Approval of the July 22, 2019 Village Board Meeting Minutes
2. Approval of the Bills List Dated September 2019
3. Approval of the Paid Invoice List Dated September 2019
4. Approval of an Ordinance Authorizing the Execution of the Audit Engagement Letter for the Audit of the Financial Statements for the Year Ended December 31, 2019—Sikich, LLP
5. Approval of an Ordinance Authorizing the Execution of an Agreement to Host One Full Time Greenest Region Corps Member
6. Approval of an Ordinance Authorizing the Execution of the Proposal to Perform Air Quality Inspection Services at the Village Hall—Carnow Conibear
7. Approval of an Ordinance Authorizing the Chief Operating Officer to Execute an Amendment to the Village of Hawthorn Woods Department of Public Works Pavement Patching Program Agreement Between the Village and Contractor—Chicagoland Paving—2019 Pavement Patching Program
8. Approval of an Ordinance Amending the Village Code of the Village of Hawthorn Woods—Title 3—Business and License Regulations, Chapter 6—Tobacco Dealers, and Title 5—Police Regulations, Chapter 2—Miscellaneous Offenses, Section 3—Sale and Possession of Tobacco Products
9. Approval of an Ordinance Amending the Village Code of the Village of Hawthorn Woods—Title 10, Chapters 1, 2, 3, 4 and 5
10. Approval of an Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Hawthorn Woods
11. Approval of an Ordinance Rescinding an Employment Agreement—Michael Garrigan
12. Approval of a Resolution Proclaiming the Week of September 22 – 29, 2019 National Rail Safety Week
13. Approval of a Resolution Proclaiming September 17 – 23, 2019 as Constitution Week
14. Approval of an Amended Meeting Calendar for 2019
15. Authorization for the Chief Operating Officer to sign the Fruit Tree Orchard Grant Application

Items #6 and #7 were removed from the Consent Agenda.

Motion by Riess, second by Kaiser to approve the Consent Agenda with the exception of agenda items #6 and #7.

Roll call vote.

Ayes: Kaiser, Kosik, Riess, Corrigan, DiMaggio, David  
Nays: None  
Abstain: None  
Absent: None  
Motion carried.

Motion by DiMaggio, second by Kosik to approve Consent Agenda item #6, Approval of an Ordinance Authorizing the Execution of the Proposal to Perform Air Quality Inspection Services at the Village Hall—Carnow Conibear.

Trustee Kosik noted a scrivener's error on Exhibit A. Trustee David asked why this service was needed. Ms. Kazenas noted there are numerous employees working in the Barn who have respiratory issues that present themselves while only at work.

Roll call vote.

Ayes: Kaiser, Kosik, Riess, Corrigan, DiMaggio, David  
Nays: None  
Abstain: None  
Absent: None  
Motion carried.

Motion by DiMaggio, second by Kosik to approve Consent Agenda Item #7, Approval of an Ordinance Authorizing the Chief Operating Officer to Execute an Amendment to the Village of Hawthorn Woods Department of Public Works Pavement Patching Program Agreement Between the Village and Contractor—Chicagoland Paving—2019 Pavement Patching Program.

Trustee Kaiser indicated Chicagoland Paving was one of his clients.

Roll call vote.

Ayes: Kosik, Riess, Corrigan, DiMaggio, David  
Nays: None  
Abstain: Kaiser  
Absent: None  
Motion carried.

## B. Items for Separate Action

1. Approval of an Ordinance Authorizing the Execution of an Agreement by and Between Christopher B. Burke Engineering and the Village of Hawthorn Woods Regarding Acceptance of a Proposal for Professional Engineering Services for Meadowlark Park and Arboretum

Motion by Riess, second by DiMaggio to approve an Ordinance Authorizing the Execution of an Agreement by and Between Christopher B. Burke Engineering and

the Village of Hawthorn Woods Regarding Acceptance of a Proposal for Professional Engineering Services for Meadowlark Park and Arboretum.

Roll call vote.

Ayes: Kosik, Kaiser, Riess, Corrigan, DiMaggio, David

Nays: None

Abstain: None

Absent: None

Motion carried.

## **VI. OLD BUSINESS**

- A. None this month.

## **VII. ADMINISTRATION REPORTS**

- A. Report from the Chief Operating Officer—Pamela O. Newton, MSOL
  - 1. Monthly Update—Village Operations

Ms. Newton thanked Intern, Max Gonzales for the environmental brochure he prepared on buckthorn.

- B. Report from the Village Attorney—Nicholas Standiford

Mr. Brankin's report will be given in Executive Session.

- C. Reports from Department Heads

- 1. Chief Administrative Officer—Donna Lobaito
  - a. Chief Administrative Officer Report

Ms. Lobaito indicated all department heads' reports were in the packet.

- 1. Chief Administrative Officer—Donna Lobaito
  - b. Village Clerk's Report

Ms. Lobaito's report was in the packet.

- 1. Chief Administrative Officer—Donna Lobaito
  - c. Community Development Department Report

Ms. Lobaito's report was in the packet.

- 2. Chief Financial Officer—Kristin Kazenas, CPA, MBA, CPFO
  - a. Finance Department Report

Ms. Kazenas' report was in the packet.

- b. Human Resources Department Report  
Ms. Kazenas' report was in the packet.
  - c. Risk Management Department Report  
Ms. Kazenas' report was in the packet.
  - d. Business Continuity Work Group Report  
Ms. Kazenas' report was in the packet.
- 3. Chief of Police—Jennifer R. Paulus
    - a. Police Department Report  
Chief Paulus' report was in the packet.
  - 4. Director of Public Works/Village Engineer—Erika M. Frable, PE
    - a. Public Works Department Report  
Ms. Frable's report was in the packet.
  - 5. Director of Parks and Recreation—Brian J. Sullivan, MPA, CPSI, CPRP
    - a. Parks and Recreation Report  
Mr. Sullivan's report was in the packet.

## VIII. EXECUTIVE SESSION

- A. Purchase of Property (5 ILCS 120/2(c) 1), Discussion of Probable or Pending Litigation (5 ILCS 120/2(c) 11), and Discussion of Executive Session Minutes (5 ILCS 120/2(c) 21)

Mayor Mancino asked for a motion to enter into Executive Session for the purposes of Discussion of Probable or Pending Litigation (5 ILCS 120/2(c) 11), and Discussion of Executive Session Minutes (5 ILCS 120/2(c) 21).

Motion by Corrigan, second by DiMaggio to enter into Executive Session for the purposes of Discussion of Probable or Pending Litigation (5 ILCS 120/2(c) 11), and Discussion of Executive Session Minutes (5 ILCS 120/2(c) 21).

Roll call vote.

Ayes: Kosik, Riess, Corrigan, DiMaggio, David  
Nays: None  
Abstain: Kaiser  
Absent: None

Motion carried.

The Board entered into Executive Session at 9:53 p.m.

**IX. ADJOURNMENT**

Motion by Riess, second by DiMaggio to adjourn the meeting.

Roll call vote.

Ayes: Kaiser, Kosik, Riess, Corrigan, DiMaggio, David

Nays: None

Abstain: None

Absent: None

Motion carried.

The motion carried and the meeting adjourned at 10:17 p.m.

Respectfully submitted,



Donna Lobaito  
Village Clerk