

Village of Lily Lake

Approved Minutes of the Regular Meeting of the Board of Trustees

Monday, July 27, 2020

Call to Order

President Overstreet called the Board of Trustees meeting to order at 7:00 p.m. with the Pledge of Allegiance. This meeting was held in person, following State guidelines. Posting of this scheduled meeting and the agenda was done on 23rd of July, 2020, to give the Village residents the maximum time for public comment. Posting was done on the Village website, Facebook account, Nextdoor Lily lake account, and on the Village Hall display board, encouraging the public to stay at home and offer any comment by phone message, email, regular post mail, or leaving comments in the Village drop box attached to the display board. The opportunity to participate during the public Comment portion and hear the rest of the meeting was offered if an individual provided their name and phone number in advance. However, if the public did show up, they would be welcome providing they wore their mask.

Roll Call

Present – President Rick Overstreet, Trustee Pam Conn, Trustee Mary Damisch, Trustee Kelly Diehl, Trustee Mike Florian, Trustee Craig Walsh.

Absent – Trustee Dell

Also Present – Juliette Kerr (Village Deputy Clerk), Steve Zahn (Village Plan Commission), Eric Hoofnagle (Public Works), Lisa Engberg (Village Treasurer), Alex McTavish (Village Attorney) and Jesse Heffernan (Village Clerk) via phone conference.

Public/Guests - Deputy Officer Hoffman, Mrs. Strobel

Adoption of the Agenda

Motion by Trustee Conn seconded by Trustee Walsh to adopt the July 27th, 2020 Agenda as presented.

Voice vote, motion passed unanimously.

Approval of the June 22, 2020 Regular Board Meeting Minutes

Motion by Trustee Florian seconded by Trustee Diehl to accept the minutes of the June 22nd, 2020 Regular Board Meeting as presented.

Voice vote, motion passed unanimously.

Kane County Sheriff's Comments

President Overstreet welcomed Deputy Hoffman, who had some issues to address with the Board. Deputy Hoffman began with the ongoing concerns regarding the current break-ins in Lily Lake. He said in the past, thieves would walk down a street, check for open, unlocked cars, and take valuables. Now, the thieves have started taking garage door openers and revisiting homes to burgle them using the openers. Deputy Hoffman asked, if available, for home surveillance video/photos to be brought to the police, to find any clues. General discussion followed where Trustee Damisch mentioned she would be able to provide the Deputy with some footage which she is aware of. The 'Secretary of Investigations' at the Sheriff's office may have information on current criminal activities in local areas if a resident is seeking more information.

Deputy Hoffman brought up the noise complaints reported regarding fireworks on 4th of July. Deputy Hoffman explained that officers use their judgment on placing priorities of calls. A response may not be immediate if there are more serious calls such as car accidents or persons in danger that conflict with a noise complaint. Officers may not always catch noise violators since the act of making the noise is often complete before an officer can arrive on the scene.

If a violation is written up, the complainant needs to sign the report they requested for "disorderly conduct" and are obligated to appear in court to testify as witness.

Discussion of particular events continued regarding noise grievances; Deputy Hoffman reiterated the steps to take in reporting noise complaints and said to call the non-emergency number for the police. If 9-1-1 is called, tell them *immediately* that the call is NOT an emergency in order to free up the line for an actual emergency.

No further comments.

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Guests and Public Comment

President Overstreet asked for other comments: Mrs. Strobel recapped her complaint regarding noise on the 4th of July. Deputy Hoffman repeated the set of priorities again on the 4th of July and said he would investigate her complaint further if she wanted to contact him. He is willing to stop by her home and talk with her after his vacation; Mrs. Strobel needs to contact him to set an appointment. President Overstreet will email Deputy Hoffman some background information from that complaint. Trustee Conn thanked Deputy Hoffman for his concern towards Mrs. Strobel.

Resolution 2020-17: Accepting the Proposal of Active Excavating & Wrecking Inc. for Hazelwood Drainage Ditch Storm Repair.

Motion by Trustee Conn, seconded by Trustee Florian, to approve Resolution 2020-17 in the amount of \$1975.00. President Overstreet explained that this was a small-scoped job; Director Hoofnagle recapped the Hazelwood Ditch project and that the maintenance of the Forest Preserve's land is the Village's responsibility. General discussion followed. No further comments. *Roll Call vote, motion passed unanimously.*

Resolution 2020-18: Accepting the Proposals of Active Excavating & Wrecking Inc. for Removal of the Culvert from the Right-of-Way and for the Installation of a Six-inch Underdrain at 5N392 Hanson Road.

Motion by Trustee Florian, seconded by Trustee Diehl to approve Resolution 2020-18 for amounts not to exceed \$1700 and \$8975. President Overstreet explained the situation of the collapsed culvert and how it tied into last month's resolution to clean out the underdrain at Fox Wilds as a result of that failed culvert. President Overstreet provided some pictures of the damage and explained that the failed culvert is preventing further clean-up. Trustee Diehl asked if the homeowner would then not have a driveway – that was confirmed by President Overstreet. President Overstreet retold his lengthy conversation with the homeowner regarding her Hanson culvert along with her other access from Fox Hill Court. They discussed quotes to replace the Hanson culvert pipe, which is very large and expensive. No temporary solution to fix this culvert is feasible as it's in a state of entire disrepair. The homeowner reports she cannot afford to replace this culvert now. Trustee Florian asked if the homeowner owns the culvert – that was confirmed by President Overstreet. Trustee Florian asked how the Village can remove her private property. Attorney McTavish answered the culvert is in Village ROW. Trustee Florian suggests placing lien on property and to replace the culvert/driveway due to washout being an Act of God vs neglect. Attorney McTavish would have to research the lien-ability of such a proposal. Trustee Florian feels the house is one to be "flipped" and the Village will see the lien satisfied soon. President Overstreet reminded the Board that the poor condition & need to replace the culvert was discussed with the homeowner a few years ago. It was made clear that the culvert was her responsibility. Trustee Florian mentioned the past underdrain work in that area has failed; that the homeowner is cleaning up the property and is suffering financially from the floods. Trustee Diehl asked for clarification on the proposal pricing. Director Hoofnagle explained he asked for 2 quotes: remove the damaged culvert and restore the Village ROW, then to install the underdrain (addressing the issue Trustee Florian referred to as "failing blue pipe"). Trustee Florian said the Village is looking at over \$11000 to do this work. Hoofnagle recapped the conversation with the homeowner when the house was purchased, how the Village has worked with her since May to find the least expensive repair, and how the homeowner has not made any progress forward. President Overstreet emphasized the importance of cleaning up the ROW for the whole drainage system before more rains come. Director Hoofnagle also emphasized the neighbors complaining of the debris in the area and how cutting the ditch is impossible due to the debris from this damaged culvert. Trustee Diehl commented on the tough COVID times, President Overstreet realizes the hard times and does not enjoy this resolution, but sees the need to fix this issue for the betterment of the Village infrastructure. Attorney McTavish also mentioned the Village has an obligation to maintain the ROW, and there's nothing preventing a future culvert from being installed by the homeowner. Director Hoofnagle commented on each homeowner's responsibility to keep up their homes; culverts fall into this responsibility. Trustee Diehl asked if postponing this resolution would harm current village projects. Director Hoofnagle said he was asked to get quotes in order to move forward with the last approved resolution to clean out the underdrain clogged at Fox Wilds Dr. If water continues to wash out the debris from the failed culvert, more damage will happen to that underdrain. Discussion of driveway types followed. A gravel driveway will not work in this situation, asphalt or cement will need to cover the gravel because gravel will wash out in the same

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manor. Quotes from Active given to this homeowner for roughly \$6000 to replace the culvert and gravel do not include any paving. This was confirmed by Clerk Heffernan, who also stated the importance of not having open gravel at this location. Clerk also explained how the Village has worked extensively with this homeowner to find the best resolution. Trustee Florian made a motion to table the Resolution until next month in order to investigate other possibilities; seconded by Trustee Diehl.

No further discussion. *Roll Call vote, all in favor to table Resolution 2020-18 until August 24, 2020.*

Resolution 2020-19: Renewing the Contract of Active Excavating & Wrecking Inc. for Snow Removal for the 2020-2021 Season.

Motion by Trustee Conn, seconded by Trustee Florian to approve Resolution 2020-19 for renewing the Snow Removal Contract with Active Excavating & Wrecking for the 2020-2021 season and increasing the hourly rate to \$170 per hour.

No further discussion. *Roll Call vote, motion passed unanimously.*

Resolution 2020-20: Authorizing Purchase of 10 Chromebooks and Docking Station not to Exceed \$2500

Motion by Trustee Florian, seconded by Trustee Diehl to approve Resolution 2020-20. Clerk Heffernan explained the benefit of Chromebooks vs paper copies and access to the internet or Kane GIS maps for all committees as well as the board members. Also, remote meetings may be made easier with Chromebooks. Same individual who provided Deputy Clerk's computer could help set up the Chromebooks. Trustee Damisch asked Public Works and Plan Commission if they would find them useful; yes to both.

No further discussion. *Roll Call vote, motion passed unanimously.*

Resolution 2020-21: Accepting McNally's Heating and AC Proposal to Replace AC Unit at Village Hall not to Exceed \$5000

Motion by Trustee Conn, seconded by Trustee Damisch, to approve Resolution 2020-21 for \$5000.00 President Overstreet explained the unit's condition and that it has lasted on borrowed time for a year. Village Hall has 2 units working east and west; replacing the east unit only.

Roll Call vote, motion passed unanimously.

Resolution 2020-22: Accepting Engagement Letter of Karrison LLC for Annual Audit

Motion by Trustee Damisch, seconded by Trustee Diehl, to approve Resolution 2020-22.

Letter of Engagement is for the 2020 FY Audit at \$6475.00.

No further discussion. *Roll Call vote, motion passed unanimously.*

Approve Bills

Motion by Trustee Damisch, seconded by Trustee Florian, to approve the Monthly Bills for June/July 2020.

No further discussion. *Roll Call vote, motion passed unanimously.*

Old Business

President Overstreet pointed out the installation of the new signs.

Trustee Damisch asked if the park is open? Clerk Heffernan confirmed parks are open.

Trustee Damisch asked about an update on Kifcure at the old County Market location on Rt 47. Clerk Heffernan reported Kane County Building and Zoning did not need to change the Special Use issued to that location as the intent of the Special Use is not changing.

Mrs. Strobel asked about the noise ordinance and where the amendment stood due to the COVID postponements.

President Overstreet explained the PC meetings were canceled, therefore no changes have occurred to the noise ordinance. PC Zahn said no further crafting of the Ordinance is in progress, only significant change was slight time difference in construction noise. Trustee Florian commented on the statements from the Deputy Sheriff and that enforcement comes from the County. Attorney McTavish stated citations will not be written based on Village Ordinances,

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only on County Ordinances. Village should echo the County for Sheriff enforcement purposes. Trustee Conn asked if the volume of complaints will cause a County citation to be written. Deputy Sheriff Hoffman explain again the complainant needs to sign the Sheriff's complaint and show up to testify in court to validate the complaint to the judge. Deputy Sheriff's judgement will be used in each situation regardless of number of calls.

Trustee Damisch asked to add the information regarding stolen items and car break-ins to the minutes to ensure the public is aware. Reminder: everyone lock doors, cars, and remove valuables from sight.

New Business

None

Adjournment

Motion by Trustee Florian, seconded by Trustee Conn to adjourn at 8:15 p.m.

Voice vote, motion passed unanimously.

Respectfully submitted by Juliette Kerr, Village Deputy Clerk & Jesse Heffernan, Village Clerk