

MINUTES OF TOWER LAKES

PRESIDENT AND BOARD OF TRUSTEES MEETING

Date: March 20, 2000

Location: Village Office

Time: 7:09 P.M.

PLEDGE:

President Fitzpatrick called the meeting to order and led the Pledge of Allegiance.

ROLL CALL:

Present: Trustees Aitken, Cantieri (arrived at 8:02 P.M.), Heagarty, Jansing, Kuskowski,

and Parro; President Fitzpatrick.

SIGN-IN:

See Attached Sign-In list.

APPROVAL OF MINUTES:

Trustee Kuskowski made a motion to approve the January 17th meeting minutes

which was seconded by Trustee Jansing and followed by a unanimous voice vote

(Trustee Aitken abstained since he was not present at the January meeting).

WATER SYSTEM REPORT:

- ▶ **Water System and SSA#2 Deficit:** President Fitzpatrick requested that Trustees Jansing and Kuskowski calculate future income vs. expense projections for the water system and to propose a plan to decrease and eliminate the current deficit. Currently, the water system owes the General Fund \$100,000. In addition, SSA #2 has a \$200,000 deficit due to cost overruns during the water system improvements. The money was borrowed from the Village. However, the Village's first priority will be to develop a financial plan to take care of the water system deficit and then develop a plan for the SSA#2 deficit.
- ▶ **Unpaid Water Bills:** President Fitzpatrick reported that the Village is looking for ways to ensure that residents pay their water bills before they move out of the Village. Trustee Aitken suggested that the Village piggyback on TLIA's paid assessment letter (e.g. before transfer of house titles can occur, the resident must get a paid assessment letter). Therefore, the proof of payment of the water bill would be attached to the TLIA letter. Mr. Ernst, TLIA President, reported he had no problems with this arrangement and would place it on the April TLIA meeting agenda.
- ▶ **Additions to SSA:** President Fitzpatrick reported that the Village will add 3 properties to the SSA: Groh subdivision and home on 25924 Rte 59, 25559 Warwick and 208 Circle.
- ▶ **Dam Repair Costs:** Trustee Kuskowski made a motion to authorize payment of \$9000 to Fields of Green to restore the property by the dam which was damaged during the water main installation. The motion was seconded by Trustee Heagarty and followed by a roll call vote: AYES: Aitken, Heagarty, Jansing, Kuskowski, and Parro. NAYES: None. Both President Fitzpatrick and Trustee Kuskowski stated that they will contact WVP Engineering for further recourse (e.g. WVP staff was not available to show the contractor the location of the pipes).
- ▶ **Monthly Production Report:** The Monthly Production Report and Year-to-Date Summary are available at the Village Office.

PLAN COMMISSION:

- ▶ **Comprehensive Plan:** Ms. Hawkes reported that the Plan Commission is scheduled to meet on March 27th to work on the Village's Comprehensive Plan. Trustee Parro stated that the Adhoc

Committee Report and the Village's old Comprehensive Plan can be found on the Village's website.

- **Parking Ordinance Amendments Vote:** Trustee Jansing made a motion to introduce, discuss and vote on the parking ordinance amendments which was seconded by Trustee Cantieri. President Fitzpatrick reported that there were several public meetings on this issue and that at tonight's meeting the Board would discuss and vote on further action. However, residents in attendance were provided a maximum of 3 minutes to state their views on the parking ordinance amendments and are summarized as follows:

RESIDENTS:

- Mr. Blanchard stated he is opposed to the ordinance and that the current ordinance if enforced would alleviate the Board's concerns. He stated he disagrees that the ordinance would increase real estate values. In addition, he stated that he built a berm to conceal his boat&trailer in accordance with the current ordinance. [Note: At prior Board meetings and Public hearings, Mr. Blanchard requested that residents with boats, RV's etc. be grandfathered or that he be reimbursed for constructing the berm].
- Ms. Nadolski stated she is opposed to the proposed ordinance and that the existing ordinance, if enforced would suffice. Ms. Nadolski has a trailer.
- Mr. Gillette stated that he is against the ordinance and regulation by government. He stated that the proposed ordinance treats outsiders better than residents since outsiders can park trailers etc. every day. Furthermore, the ordinance should allow for screening fences, etc. and should have portions of the ordinance that are flexible. He also stated that in discussion with a Trustee it was mentioned that the ordinance (e.g. loading/unloading provision) would not be enforced unless brought to the Board's or Clerk's attention; therefore, he questioned why we have limited the number of hours for loading/unloading, as well as the \$750 fine, etc.
- Ms. Krause stated that the Village may be overstepping their bounds by restricting the parking of trailers, campers, boats, etc. Ms. Krause has a pop-up camper.

- Ms. Kowitz stated that she supports the proposed ordinance. She stated that although she does not think the proposed ordinance will increase real estate values; real estate values will certainly decrease if the ordinance is not passed or enforced.
- Mr. Guntow stated he is in favor of the proposed ordinance. However, he questioned how the Village was going to enforce the ordinance. In addition, he questioned whether those who built boat pads etc. to conform with the existing ordinance would be grandfathered. Lastly, he questioned how the Village would handle the removal of commercial machinery (e.g. Groh property).
- Ms. Pratt stated that as a long-time resident she is aware that the people who do not want something are more vociferous. She stated she attended all of the public meetings and the general consensus was that residents wanted a stricter parking ordinance.

BOARD:

- Trustee Kuskowski stated that he was against the ordinance. The proposed ordinance creates too much of a burden on the residents. Furthermore, he has seen only about ½ dozen situations that would be changed by the proposed ordinance. If the existing ordinance was enforced, the problems would be eliminated. Unless you have an enforcement office or have residents call the Village office to complain, the Village hasn't changed anything except make it difficult for residents to live in Tower Lakes.
- Trustee Parro stated that he is not in favor of the proposed ordinance. He does not believe that government should legislate/regulate aesthetics unless in extreme conditions. Trustee Parro stated the current cases in Tower Lakes are not extreme. Trustee Parro reported that he attended most of the Public Hearings and that the majority of those attending were in favor of an ordinance with more restrictiveness. He also stated that as a result of public input at the hearings the most onerous provisions were removed from the proposed ordinance.
- Trustee Jansing stated that originally he opposed the ordinance (e.g. agreed with Trustee Kuskowski views) however, after discussing the issue with his wife, a relocation consultant, he favors the ordinance. Based upon a relocation management point of view, the ordinance will help real estate values. Appraisers note junk, RVs etc. in yards and their appraisals reflect this. The proposed

ordinance is not just for current residents – cannot say it affects only ½ dozen residents now – because residents come and go. Also, ordinances are easier to enforce if it is black/white and not gray. The ordinance should stand on its own and not have to be interpreted (e.g. how do you define unloading and loading and respective time period??). Furthermore, visiting RVs should not be allowed in the Village – therefore, no gray areas.

- Trustee Heagarty stated that aesthetically the parking of RVs etc devalues properties. CCE and Fenview have covenants that ban recreational vehicles. Trustee Heagarty questioned how the Village defines 48 hours in a 30 day period.
- Trustee Cantieri stated that the parking of RVs, campers, etc, is detrimental to property values. For example, one of the first questions from a new resident that purchased a \$500k plus house was whether the Village had a ordinance preventing the parking of RVs, campers etc, since his neighbor had one parked in his/her yard. Trustee Cantieri stated that the parking of such vehicles has a fundamental increasing of decreasing affect on property values and he does not want to do something that would decrease property values and would do anything to achieve greater returns. Trustee Cantieri agreed that a Black/White ordinance is easier to enforce.
- Trustee Aitken stated that the original parking ordinance began in 1995 due to an inoperable vehicle in a resident's driveway which reportedly resulted in a neighbor's property value decreasing by 30-35K when they sold their property.
- President Fitzpatrick stated that change is recommended when change is needed and that this process is ongoing. The ordinance may not work and if it doesn't, it can be modified or residents can vote people out of office. President Fitzpatrick stated that he disagrees with those who state that regulating property decreases values. The most regulated property are condos and they are the most valuable. With zoning regulations people know what to expect --- buildings will be the same next door – a gas station cannot be constructed in the lot next to you. Tower Lakes is an evolving entity. President Fitzpatrick agreed that the ordinance must be enforced differently than in prior years. The Village may need to appoint an enforcing officer. To date, the Village Clerk is the enforcer, but other communities use the Police, which was recommended by the Village Attorney.

VOTE:

A roll call vote to adopt the proposed amendment to Section 15.03 of the Zoning Ordinance relative to the Parking of Trucks, Trailers, Commercial Vehicles, Recreations Vehicles, Boats and Similar Vehicles and to Section 15.05 relative to Enforcement and Fines was as follows: AYES: Aitken, Cantieri, Heagarty, and Jansing. NAYES: Kuskowski and Parro. The ordinance will become effective when President Fitzpatrick signs it.

ZBA:

The Village Board held a special meeting for 3 zoning variance requests. The Board approved 1 request; however, the other two requests were sent back to the ZBA since the height and side yard setbacks were incorrect. The ZBA will schedule another meeting and present their recommendations to the Board.

BUILDING AND ZONING REPORT:

Building Permits

Trustee Cantieri reported that 3 new permits were issued for the following residences: 252245 Gateway – new roof; 717 Circle – new kitchen; and 104 Terrace – new kitchen.

A March 6th letter was sent to the Builder in Fenview Estates regarding garbage on the property, the burning of outdoor waste and not maintaining a construction site (e.g. pollution of the waterways). In addition, a copy of the letter was sent to SWMC. The site was to be red-tagged by March 10th if the Builder did not comply. Trustee Cantieri reported that he has not gotten a red tag report from the building inspector, so the builder must have complied; however, he will look into this to ensure compliance.

Trustee Cantieri also reported that it almost 1 year has passed since the Village changed building inspections from a salary based to a fee-based position. The change has been working well. Financially at the end of FY 99 building inspection receipts were \$8837 and building inspection disbursements were \$8285 for a surplus of \$552. To date, the Village has a surplus/profit of about \$6000. Some of this surplus is due to new home construction and not just contracting.

TREASURER'S REPORT:

President Fitzpatrick reviewed the Treasurer's report and list of January bills to be paid. Trustee Jansing made a motion to approve the Treasurer's Report and pay the January bills which was seconded by Trustee Heagarty and followed by a roll call vote: Ayes: Trustees Aitken, Heagarty, Jansing, Kuskowski and Parro. Nays: None.

Trustee Kuskowski made a motion to retain the Village's membership in the Northerneastern Illinois Planning Commission (NIPC) and payment of \$147 in dues which was seconded by Trustee Aitken and followed by a unanimous voice vote . The Trustees did not approve contributions of \$750 toward the North Barrington School fence; \$300 to the Barrington Area Council On Aging (BACOA), or money to the Barrington High School Choir. Regarding the NBS fence, Trustee Jansing stated and the trustees agreed that Tower Lakes is contributing to the school by having the Village's police direct traffic 3 days a week.

FINANCE REPORT:

Trustee Jansing and President Fitzpatrick stated that the Village's 2000-01 budget must be passed at the April meeting. Committee chairs should submit their budget requests to Trustee Jansing, since there will be no finance committee meeting.

The Motor Fuel Tax (MFT) resolution will be addressed at April's meeting.

POLICE REPORT:

Trustee Aitken reviewed the monthly Police Activity Report which is on file at the Village Office. President Fitzpatrick reported that the Village does not budget using traffic violations revenue and that traffic violations are taken seriously due to the increased traffic volume on Roberts Rd (traffic volume is more than double in 10 years) and on Kelsey (traffic volume increased by 60 percent). Furthermore, the Police budget is over-budget this year due to additional police training. As the community has grown so to has suburban concerns/issues (e.g. domestic abuse, white collar crime, etc.) which the Village Police were not previously trained to handle. These issues require extra time, as well as involvement with other agencies. The Police have been managing these situations well, but additional funds have been required.

STORMWATER MANAGEMENT REPORT:

Trustee Kuskowski reported that he had received the paperwork for the \$250,000 IL First grant money to be used for infrastructure improvements. In addition, the intergovernmental paperwork for the Lake County Storm Water Management Commission (LCSWMC) grant to alleviate drainage problems in CCE is awaiting President Fitzpatrick's signature. The total grant request was \$19,000, of which the Village will pay \$9500 since it was a 50-50 matching grant. In addition, Trustee Kuskowski is developing a list of potential drainage projects for next year and requested that Trustees and residents submit their requests to him.

ROADS REPORT:

Trustee Heagarty reported that Cuba Township is waiting to pave Tower Lakes roads. President Fitzpatrick and Trustees Aitken and Heagarty will determine the number of roads to repave. The roads have not been repaved since 1996 because of the water main installations. Trustee has developed a list of signage to replace and requested that Trustees and residents also submit requests for signage to him. Stop signs can only be placed with ordinances and the police evaluate the need.

President Fitzpatrick scheduled a special meeting to discuss Mike Rigali's request to modify the cul-de-sac at 220 Bays Place for April 26th at 7:30 P.M. at the Lake Barrington Village Hall.

HEALTH & SANITATION:

Trustee Cantieri reported that the IL House may pass a leaf burning ban legislation. However, municipalities pass a less restrictive ordinance which would supercede the State's if the municipality passes their ordinance by June 2001. For example, a Tower Lakes can pass an ordinance which prohibits leaf burning from December to February,. The Board agreed to have the Village Attorney draft a "leaf burning" ordinance.

Compost bins will again be available for purchase on April 15th in Long Grove.. In addition chemical waste collections will occur at Lake County Community College on May 20th , Deerfield High School on July 8th and Wauconda High School on August 5th. The TLIA newsletter will have more specifics etc.

Trustee Cantieri reported that 10 letters have been sent to residents regarding the semiannual inspections of their aerobic mound septic

systems. To date, 2 residents have responded. The village will send reminder letters.

Clarke Environmental is proposing a Mosquito Abatement contract with Tower Lakes. The contract is less expensive than prior years. Trustee Cantieri stated he will discuss with Mr. Balas to change the 2 year contract from the proposed 5 % increase in year two, to either a 2 year level price or an increase equivalent to the CPI, if lower than 5%. The contract will be revised and addressed at the May meeting.

UTILITIES:

Trustee Parro reported that the Metricom agreement has not been signed because the Village is awaiting pole information from Metricom.

Tower Lakes has been selected as an official millennium community. The key criteria for selection was that the community must have made a firm commitment to undertake projects that are consistent with the national theme – Honor the Past – Imagine the Future. Tower Lakes and TLIA submitted five community-wide projects to the council which corresponded to the above theme. Trustee Parro also stated he is looking into getting this year's vehicle sticker the millennium design and will report the estimated cost at the next Board meeting.

.

URBAN FORESTRY:

President Fitzpatrick reported that Tower Lakes has been designated Tree City 1999. April 28th is Arbor Day and President Fitzpatrick requested suggestions for celebrating this day; specifically, community work by our youth. Lake Cleanup is scheduled for May 6th and Spring Brush pick-up is scheduled for May 15th .

OLD BUSINESS:

Trustee Cantieri received bids for redecorating the Village Office. Trustee Heagarty made a motion to authorized up to \$6000 to redecorate (painting, patching the Village office excluding the upstairs bathroom and storage room) with Trustee Aitken seconding the motion. A roll call vote followed with the following: AYES: Aitken, Cantieri, Heagarty, Jansing, Kuskowski and Parro. NAYES: None. Town and Country Painting is the painting contractor selected from the three bids.

Trustee Parro stated that he has a flag for the Village that was flown over the U.S. Capitol on January 1, 2000. Trustee Parro has requested money in next year's budget for a Village Office flagpole, as well as lighting.

President Fitzpatrick stated that the Village Attorney will draft an ordinance regarding

Vehicle tax compliance and penalties. The ordinance will be addressed at the April meeting.

NEW BUSINESS:

President Fitzpatrick reported that the Liberios, residents on Roberts Road, combined 3 of their lots into 1 therefore, the SSA#2 tax roll needed to be amended. Trustee Aitken made a motion to amend the SSA #2 tax roll to reflect the changes which was seconded by Trustee Kuskowski. A roll call vote followed - AYES: Aitken, Cantieri, Heagarty, Jansing, Kuskowski and Parro. NAYES: None

President Fitzpatrick reported that a Purchasing Extension program is available through Lake County. Trustee Heagarty made a motion to approve a resolution to join the purchasing extension which was seconded by Trustee Aitken . A roll call vote followed - AYES: Aitken, Cantieri, Heagarty, Jansing, Kuskowski and Parro. NAYES: None

President Fitzpatrick discussed the annexation of TLIA property on the corner of Roberts Rd and Rte 59 to the Village. Trustee Parro made a motion to approve the annexation of the property to the Village with Trustee Aitken seconding the motion. A roll call vote followed - AYES: Aitken, Cantieri, Heagarty, Jansing, Kuskowski and Parro. NAYES: None.

President Fitzpatrick reported that Minolta is proposing a new contract which includes a new copier with no additional out-of-pocket expenses. The Trustee agreed to carry forward with the new contract.

President Fitzpatrick discussed the Fenview Estates Recreational Facility proposal which includes the creation of a practice soccer field etc. The proposed park is on Tower Lakes property; therefore, the Village would have to sell the property to Fenview Estates Homeowner's Association. The Trustees agreed that the Village should investigate the issue further with the Village attorney, specifically for zoning issues and liability. Also, Trustee Cantieri stated that the sale

should be contingent upon the facility accessible to all Tower Lakes residents.

President Fitzpatrick reported that due to insurance issues and logistics, TLIA and the Village will not have fireworks for this year's Fourth of July festivities.

President Fitzpatrick encouraged all residents to complete the Census 2000 forms, since much of our funding is based upon census information.

President Fitzpatrick declared April as Child Abuse Prevention Month.

MEETING ADJOURNED:

At 10:02 P.M., Trustee Aitken made a motion to adjourn which was seconded by Trustee Heagarty and followed by unanimous voice vote.

Respectfully Submitted,

Madeline M. Chulumovich

Village Clerk