

MINUTES OF TOWER LAKES

PRESIDENT AND BOARD OF TRUSTEES MEETING

Date: February 19, 2001

Location: Village Office

Time: 7:10 p.m.

PLEDGE: Trustee Kuskowski called the meeting to order and led the Pledge of Allegiance. Sign in sheet circulated.

ROLL CALL:

Present: Trustees Aitken, Cantieri, Filippell, Heagarty, Parro, Kuskowski, and Village Clerk Leitner.

APPROVAL OF MINUTES:

Trustee Parro made a motion to approve with changes the December Village Board Meeting, which motion was seconded by Trustee Heagarty and followed by a Roll Call vote: AYES: Trustees Aitken, Cantieri, Heagarty, Filippell, Parro, Kuskowski. Trustee Parro made a motion to approve the January Village Board Meeting, which motion was seconded by Trustee Heagarty and followed by a Roll Call vote: AYES: Trustees Aitken, Heagarty, Filippell, Parro, Kuskowski. Abstain: Cantieri.

Boundary **Agreement:** Karl James, President of Karl James Builders, requests Tower Lakes amend Boundary Agreement with Wauconda so that James Builders can build 51 homes on a 47.6-acre parcel. Presentation followed, discussion ensued. Many area neighborhoods represented. Tower Lakes Board made no motion to amend the Boundary Agreement. Minutes of this portion of the meeting separately filed in the office.

WATER SYSTEM REPORT:

Monthly Production Report: December and January reports from Consumers Illinois Water Co. are in the office for perusal. Trustee Kuskowski reported that the major water leak pumped 180,000-

225,000 gallons per day (normal is 100,00-150,000 gallons per day).
Re: the \$250,000 Grant: no change in status. The repair work scheduled for Esther and Tomahawk has not yet begun due to the weather. Likewise, the wellhouse work status is delayed; a new contractor is needed and Trustee Kuskowski is gathering bids.

PLAN COMMISSION: Trustee Parro reported that the Lake County Regional Framework Plan meeting was held January 25th. The Plan is to evolve over a two-year period, and is to be jointly developed by all communities. Cuba Township is our subgroup. We can use information already compiled for the Tower Lakes Comprehensive Plan, and vice versa. The Regional Plan group will produce a newsletter.

Janet Agnoletti, Director of BACOG and in attendance at our meeting, asked to attend a Tower Lakes Plan Commission meeting.

Dorothy Hawkes, Chair of the TL Plan Commission asked whether a public hearing is required on a definition of a Church for purposes of the Religious Land Use Ordinance being considered by the Village Board. Trustee Kuskowski informed that a public hearing is required since this ordinance involves a zoning change.

ZONING BOARD OF APPEALS: No report.

BUILDING AND ZONING:

Monthly Report: Trustee Cantieri gave the monthly report: Three new permits; all re-roofs.

Ordinance Enforcement: 24863 N. Blue Stem Court: residents moved in without a Certificate of Occupancy ("CO"). They were fined \$350.00 and forfeited their Bond of \$2,000.00. They have since complied with the Building Inspector's requirements, and received a temporary CO. The residents have until May 1st to fully comply with Building Inspector's requirements.

Road Bond Process: Trustee Cantieri is working to change the Road Bond Process.

TREASURER'S REPORT:

Burgoon Ordinance to Amend SSA—Motion by Trustee Cantieri to enact this ordinance, seconded by Trustee Filipell and followed by a

Roll Call vote :AYES: Aitken, Cantieri, Heagarty, Filippell, Parro, Kuskowski.

FINANCE:

Illinois Risk Fund--Trustee Filippell mentioned that TL was audited by the Illinois Risk Fund. Further automation will help next year's audit. Installation of Quickbook's Pro 2001 is proceeding. Kudos to Debbie Baggett and Brian Gidley. Graphics requested by Trustee Parro have been prepared to be put on TL website. These include a projection of next year's funds.

Tax Projections--Brian Gidley, Treasurer, reported that the State and County taxing authorities are projecting their forecasts; they anticipate 0 growth next year (commercial: no tax; income tax: basic; motor fuel: probably won't be held back this year). Gidley reminded that the new well house contractors will need to provide insurance certificates and tax ID numbers. Also, Gidley plans over the next two or three years for slow growth of reserves in the SSA fund so we don't need to dip into the general fund periodically for payments.

Water--Trustee Parro noted that we pay Consumers Illinois Water approx \$58,000.00 to manage our water system plus pass through expenses for water main repairs, chemicals and electricity expenses. In 1999, @ \$22,000.00 was billed to TL as additional pass through expenses; for 2000, TL still owes \$13,000.00. This number reflects a \$535.00 credit for expenses Consumers will pick up for overflow of tank. \$1,324.35 of this bill should be paid out of the DCAA Grant, not the water fund. For the year 2001 budget, monthly projections should be modified to reflect this information.

Motion to approve the Treasurer's Report and monthly bills made by Trustee Heagarty, seconded by Trustee Cantieri, and followed by a roll call vote.

VOTE: AYES: Aitken, Cantieri, Kuskowski, Heagarty, Parro, Filippell.
NAYES: None.

Trustee Aitken asked that the year-to-date column be added back into the monthly report.

DCCA Grant—Trustee Kuskowski reported that several projects have been done under this grant. Kuskowski will send out a letter to the

homeowners who needs to convert to the new line. \$250,000.00 has to be spent by the end of June; implies the work is completed.

Derrick Kraus—resident at 104 WLSD has a storm water problem. Had a letter and pictures to share with the board. Trustee Parro asks if this project can be completed under the DCCA grant.

POLICE:

Monthly Police Report: Trustee Aitken reviewed the monthly Police Activity Report, which is on file at the Village Office. Trustee Aitken discussed a reciprocal agreement between police and school boards to share student criminal activity reports.

Fishing Licenses—required in TL. DNR law supercedes local ordinances.

STORM WATER MANAGEMENT:

A DNR Program has authorized grants to turn privately held flooded properties into public lands.

ROADS:

Vehicle Stickers: all paid. Snow has been removed. TL spent \$13,000.00 more in salt/sand mix expense this year: December--400 tons; January—144 tons. Trustee Cantieri asked whether there exists a proposal for continuing/removing the shoulder sand in connection with last year's road project. Trustee Heagarty responded that the recommendation was that no more sand be put down, but the contractor refuses to remove what has already been installed. Trustee Heagarty will look at the remaining project once our weather clears. Homeowners will be allowed to address their property individually.

HEALTH AND SANITATION:

Mosquito Abatement—Our contract with Clark Environment had only a one-year term; therefore, he wants to call Rick's Mosquito Spraying Co. for a bid.

SWALCO—is looking forward to a permanent Gurnee site in the fall, 2001. Swalco plans to stop regional collections, and provide one location for Lake County residents to deposit household hazardous waste.

UTILITIES:

ATT Broadband: Trustee Parro noted that the cable company is changing its name, but no new franchise agreement will be needed.

Consumer's Water: the 2001 water proposal projects a 3.4% increase in the base fee based on the Consumer Price Index. Trustee Parro will request a proposal for a three-year agreement.

Nicor: Local Mercury Inspections will include 36 homes, 30 in TL. Of those, 16 homes had an instrument check, inside of house cleared; 10 had an outside check, all cleared; and 4 have not been done yet.

URBAN FORESTRY: No report.

OLD BUSINESS:

Codification: Village Clerk Leitner presented estimates for this project: from 6,000.00 to 12,000.00. She will gather more specific information with a view toward approval for the 2001 budget. Zoning is a separate project.

Liquor License Ordinance—Trustee Parro asked for a reduced version of the presented ordinance. VC Leitner will follow up with Village Attorney.

Motion to approve the Treasurer's Report and monthly bills made by Trustee Heagarty, seconded by Trustee Cantieri, and followed by a roll call vote.

VOTE: AYES: Aitken, Cantieri, Kuskowski, Heagarty, Parro, Filippell.
NAYES: None.

Motion to approve Resolution 01-267, granting a license to TLIA for a Pedestrian Path and Landscaping made by Trustee Heagarty, seconded by Trustee Cantieri, and followed by a roll call vote.

VOTE: AYES: Aitken, Cantieri, Kuskowski, Heagarty, Parro, Filippell.
NAYES: None.

NEW BUSINESS:BACOG—Janet Agnoletti presented her plan for a study of area aquifers, including mapping, surveying, identifying high-end users, pollutants and the overall effect on the community. The Illinois State Water Survey and Geological Survey may commit some

funds toward this effort, but first she needs to form a committee. She seeks members from each community to pledge to a two-year commitment to this working committee. Trustee Kuskowski has volunteered to be on this committee, and former resident Bill Fitzpatrick has asked to be appointed by TL to this committee.

Trustee Kuskowski mentioned several items: Storm Water Management Seminar—Baxter and Woodman seminar in McHenry. BACOA is holding its annual tea in May, and Lt. Governor Corinne Wood seeks nominations for the Ill. Woman of Achievement; a Cuba Township resolution opposing the dissemination of Internet assessment information seeks TL support.

Trustee Parro proposes that TL become a member of the Barr. Area Historical Society. Membership is \$50.00 and they will have climate-controlled storage available. He also noted the TL flowers at Gerry Vogel's funeral.

VC Leitner to contact Windfall Enterprises in Barrington for office cabinets.

MEETING ADJOURNED:

At 10:40 pm., Trustee Heagarty made a motion to adjourn the Board meeting, seconded by Trustee Aitken and followed by unanimous voice vote.

Respectfully Submitted,

Kathleen Leitner

Village Clerk

03-15-01

Boundary Agreement-- Karl James, President of Karl James Builders. requests Tower Lakes amend its Boundary Agreement with Wauconda et al so that James Builders can build 51 homes on a 47.6-acre parcel

on the south side of Ivanhoe Road. He introduced Don Fielding, Civil Engineer with Green Guard, and Tim Dorn, Traffic Consultant with KOLA Traffic. Trustee Kuskowski invited the Tower Lakes Board to address questions to the guest speakers.

T Parro: asked Don Fielding how they plan to handle storm water run-off which will end up in Tower Lakes. Fielding said they have filed their plan with lake County Storm Water Commission. Outside the wetland they will build a small dike, and otherwise there will be some excavation. He mentioned that they did similar work for the Saddlewood project (off Anderson Road).

T Kuskowski asked where the captured water goes. Fielding replied that there will be storm sewers throughout the development and there will be settling in the open water. The plan is designed to accommodate the 100 year storm, and includes slow filtration in addition to water detention and filtering.

T Cantieri asked whether the water drains into Timberlake at all. No, it all drains into Tower Lake as does Timber Lake.

T Cantieri mentioned that Lake County rejected a project 2 years ago on this same site, and cited the Blandings Turtle preservation concern.

K James stated that the County may require a conservancy for the turtle. The back lots will be larger to accommodate the conservancy.

T Kuskowski asked if the back lots have access to the lake. James replied that he is not decided.

T Cantieri noted that the lake seems to be owned by individuals in addition to James. How can you limit lake use to 14 homes? James replied that lake use would probably be limited to lot owners even though the association owns and controls the lake, but James noted that he'd need to discuss it further with his attorneys as he hasn't thought out these details.

T Heagarty asked if James had plans to draw water from the Lake for homeowners use. Fielding replied no, sewer and water would come from Wauconda.

T Heagarty asked how they could limit use of the lake, ie restrict motorboats. James replied that the homeowners association would create the restrictions.

T Cantieri noted that the area is currently zoned for 2-acre parcels. James replied that the county doesn't actually require that each parcel be 2-acres, such that an 80,000 parcel sizes may be adjusted for 20-plus homes. James' proposal is for 51 homes, but would limit access to the lake to 14 homes.

T Heagarty asked whether this development will look like Oak Grove. James thought it would be more like Saddlewood.

T Kuskowski Asked how they plan to address increased traffic. Tim Dorn replied that Rtes 59 and 12 will be the main access routes He clocked "one car every minute and a half" in the evening and "one car every two minutes" in the morning He quoted some statistics from the Institute of Transportation Engineers generalizing suburban traffic measurements.

T Kuskowski noted that rte 59 and Oak Grove is already congested. Dorn doesn't expect this new development to have a substantial impact.

T Cantieri asked whether the traffic study shows whether rte 59 or rte 12 will be the major access route. Dorn replied that he thinks rte 12 will be, but he's not certain.

T Aitken asked whether an additional traffic signal will be installed there. Dorn says the traffic should not warrant one, but rte 59 is an SRA and stricter standards apply.

T Kuskowski asked whether Mr. Vignocci (the adjacent owner who is also requesting annexation to Wauconda) plans to develop the property he has retained. James replied that Mr. V plans to stay; that James has not purchased an option on the remaining parcel.

T Kuskowski opened discussion to the floor.

Steve Mountsier, Lake County Board Representative: James Realty does not reflect the community. The issue is zoning and your philosophy. Lake County has tried to maintain this parcel as 2-acre zoning. Mr. Orga had it changed to 2-acre from agricultural. He'd planned 20 some lots with protected wetlands. Mountsier asked TL not to change this zoning; traffic and zoning problems will arise. Lake County hears the citizen complaints, but it's the municipalities that allow the development. Mr. Vignocci also has 2-acre zoning. Lake

County has worked hard with IDNR, the Army Corp of Engineers, as well as previous developers.

Greg Valicka, Tower Lakes Plan Commission. We are trying to preserve a semi-rural environment. Keeping the 2-acre parcels seems to be in keeping with that philosophy. James- the plan is the only way it makes (economic) sense for James Realty.

Randy Spiess, resident of Tower Lakes asked what the proposed homes would sell for. James responded that Saddlewood went for @\$290K and Oak Grove goes for @ \$270K.

Tony Nostrioni from Fairview said that when he lived in Palatine they said the same thing about traffic and development—now look at Palatine. He asked what the TL lot sizes are.

T Parro Tower Lakes was developed in 1920's originally; the village was incorporated in the 1960's; the 1980's lot sizes were zoned two-acres.

Don Klein, former head of BACOG, now A consultant with North Barrington and on the Timberlake Board: reminds the TL Board of early discussions regarding the Boundary Agreement, and that NIPSE uses us as an example of communities coming together toward a common goal. The traffic and environmental issues are not only site specific to this project.. Encouraged the Board to hold to the Boundary Agreement-Paul Hammer, South side of Lake asked what was the most likely path of the sewer. James said down Ivanhoe Road from 59. Hammer asked TL Board to consider where the sewer might go in the event of further development. Also, Hammer asked what the terms of amendment to Boundary Agreement are. T Kuskowski noted that amendment requires a consensus of the signatories. They have exercised their right to amend for smaller parcels. Hammer asked what TL gets out of this amendment proposal. T Kuskowski demurred, preferring to focus on group's input.

Marty McKenna, Swift Court, Wauconda noted that this amendment is asking TL to give up its rights to control the property and the watershed. He noted that BACOG is performing a storm water management study and he thinks a report from James on the storm water impact of this development should be done. He noted high levels of phosphorous and nitrogen in Lake Fairview/Hidden Lake.

T Cantieri said that until this project is official, no one can demand drainage, traffic or watershed studies.

Dave Burnidge, TLIA President expressed concern about the water flow into TL. Wants to see studies. James won't develop further studies unless/until this project is okay'ed.

T Heagarty asked whether James owns the property. James responded that it is only under contract, pending outcome here.

Nicki Fisher, homeowner on Lake Fairview/Hidden Lake. Says James says only 14 homes will have access to the lake, but a 50-foot path and 6 houses actually touch the lake. The path makes it attractive to all residents, so how will access be limited? Who will police? Is there a plan for a park? ILT Getting into Wauconda is also a problem, James thinks these issues can be addressed in the Boundary Agreement; that it's open to discussion. Fisher notes that the current homes have 1-acre lots; thinks all homes should be one or two acre homes. James said it's possible to consider different sized lots. Fisher asked about the natural area.

Barb Kolacinski, North Tower Lake resident wondered if that lake's algae will be affected. Is concerned by lack of answers from James Realty. If \$290K is upscale, why not up the price per home and build fewer homes Also, can the lots be subdivided and further developed? (No).

Ed Augustin, consultant said that James Realty will work with the community better than another developer would.

Sue Swann, Timberlake asked what the % slope to the wetland is. She noted that the county has regulations as to what % slope is developable. Fielding replied this does not fall within the steep slope ordinance of the county. Swanson also asked how you measure the success of a dam for a fen. She also noted that she would expect more than 40 cars coming out in the morning in a 51 home development and wondered how many trips per home would be made in and out each day. Dorn said 10 trips per home per day, but 80% of those would be made in a twelve hour period.

Cynthia Ward longest resident on Lake Fairview/Hidden Lake- has fought for this lake a lot over the years. A Lake Zurich case exists on lake use. Our fen will no longer be a majestic area if this development

goes through. Even if TL votes for the Boundary Agreement amendment, the Fairview Homeowners Assn will fight it

Cynthia Lewis, does TL have a plan to develop or annex this area? T Kuskowski said no, it is not contiguous to our village

A Petition signed by 70 Lake Fairview area residents was submitted

Greg Valicka asked whether James profits doubled by going from two to one-acre parcels. James responded that the price for the sewer would be different.

Steve Mountsier noted that Ivanhoe Road had to be upgraded in (road) class. If the traffic increases, the road classification will have to be changed again. This should be looked into.

Cynthia Ward noted that Ivanhoe is a collector road.

In closing, James said that this would be a nice development, and would be the nicest of James' developments there (including Saddlewood and Oak Grove).

T Kuskowski reiterated James' request for an amendment to the Boundary Agreement, and asked for Board discussion.

T Cantieri pointed out Don Klein's reminder of the existing boundary agreement, which reflects lots of thought and discussion.

T Aitken the neighboring communities' input demonstrates that none of the surrounding areas are in favor of this development. Steve Mountsier's comments remind us of broader, county concerns; density increase being one of these. One resident stated "You can fill a bucket one drop at a time" and there are no positives on the balance sheet for this one.

T Filappell our eco system is fragile, and what is TL's gain to alter this agreement?

Janet Agnoletti points out that BACOG, though not a signatory of the Boundary Agreement, supports it)

T Parro Lake County, BACOG and TL Comprehensive Plans are all in concert, and with respect to this property, there is no positive gain for TL. Also, we cannot measure the effect on our watershed, but it will

likely go in the wrong direction.. Likewise, while the traffic increase may be negligible, it too goes in the wrong direction.

T Heagarty agrees with the other Board members.

No motion is made by the TL Board to amend the Boundary Agreement; therefore, TL will not act to amend the Boundary Agreement for the proposed development.