

Council Chambers
1937 N. Municipal Way
Round Lake Beach, IL 60073

CALL TO ORDER

7:13 P.M.

Present:

Mayor Richard Hill
Village Administrator David Kilbane
Deputy Clerk Nancy Steen
Trustee Pancho Villa
Trustee Judy Armstrong
Trustee Gina Miosi
Trustee Sue Butler
Trustee Larry Mount
Trustee Jerry Mattingly
Attorney Scott Puma
Director of Finance Patrice Sutton-Burger
Chief of Police Douglas Larsson
Director of Public Works Keith Neitzke
Economic Development Consultant Jon Wildenberg

Absent:

Village Clerk Sylvia Valadez,
Village Engineer Bob Devery

The record shows a quorum was present. For the record, Deputy Clerk Nancy Steen was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

The Council Agenda of 10/22/07 was approved as presented.

Motion by Trustee Butler
Second by Trustee Miosi
Ayes Unanimous
Motion Carried

APPROVAL OF PRIOR COUNCIL MINUTES 10/8/07AS PRESENTED

Motion by Trustee Mattingly
Second by Trustee Mount
Ayes Unanimous
Motion Carried

APPROVAL OF EXPENDITURES -None

RATIFICATION -None

STANDING COMMITTEE REPORTS

Trustee Mount reported on the success of the Household Chemical Waste Collection held a few weeks ago at the Metra Station in Round Lake Beach. He stated that over 400 cars attended the collection. Trustee Mount said the next Household Chemical Waste Collection would be held at Mundelein's Metra Station on November 17th. He additionally announced that Round Lake Beach's Public Works Department would hold the next Electronic Collection on October 25th from 8:00 a.m. until 3:00 p.m. He said by having the Electronic Collections it saves landfill space. Trustee Mount stated that upcoming collections could be viewed at www.swalco.org.

Mayor Hill thanked Trustee Mount and stated that he was the Chairman of the Solid Waste Agency of Lake County.

MAYOR'S REPORT

Mayor Hill welcomed Eric Atwater from Boy Scout Troop 73. Mayor Hill said Eric was working on his Citizenship in the Community Merit Badge.

1. Red Ribbon Week

Deputy Clerk, Nancy Steen read aloud the Red Ribbon Proclamation stating that Red Ribbon Week was October 20th through October 28th. Red Ribbon Week supports the prevention and use of tobacco, alcohol, and drugs.

Mayor Hill asked for a motion to pass the Proclamation

Motion by Trustee Armstrong
Second by Trustee Miosi
Ayes Unanimous
Motion Carried

2. Citizen Recognition

Mayor Hill asked for Bob Weinger to step forward. Deputy Clerk, Nancy Steen read aloud the Proclamation for Mr. Weinger's courage in going to Iraq on a tour of duty.

Mayor Hill asked for a motion to pass the Proclamation

Motion by Trustee Mattingly

Second by Trustee Mount

Ayes Unanimous

Motion Carried

Bob Weinger was presented with a Proclamation. Mayor Hill stated that there is a saying that, "freedom isn't free" but people like Bob help keep us free.

3. Promotion of Officers

Chief Larsson announced the promotion of Sergeant Gil Rivera to rank of Lieutenant and Officer Wayne Wilde to rank of Sergeant. He thanked the Families of Gil Rivera and Wayne Wilde as well as the Police Officers who were in attendance of the promotion.

Chief Larsson read aloud about both officer's experience.

Chief Larsson stated that Sergeant Gil Rivera had been a Police Officer with the Village of Round Lake Beach for 8 ½ years. He stated that Gil worked with the Drug Enforcement Administration as a Narcotics Investigator, he is a member of the Lake County Major Crime Task Force as an Investigator, was in the U.S. Marine Corps for 5 years and 10 months, and received his Bachelor of Arts from North Eastern Illinois University. Chief Larsson stated Gil Rivera's wife, three children, parents, sister and brother-in-law were in attendance for his promotion.

Chief Larsson stated that Wayne Wilde had been a Police Officer with the Village of Round Lake Beach for 10 years. He stated that Wayne worked as a Field Training Officer, a Juvenile Officer, was a member of the Police Warrant Service Team and received his Bachelor in Science from Wynona State University along with numerous other certificates and advanced training. Chief Larsson stated that Wayne Wilde's wife, three children, parents, sister, and brother-in-law were in attendance for his promotion.

Chief Larsson asked Gil Rivera and Wayne Wilde's spouses to join them up front.

Deputy Clerk, Nancy Steen read aloud the Oaths of Office. Both Gil Rivera and Wayne Wilde received stars pinned on by their wives.

Chief Larsson and the Board congratulated Gil Rivera and Wayne Wilde on their promotions. Mayor Hill also thanked Gil Rivera and Wayne Wilde.

CLERK'S REPORT

-None

BUSINESS

A. An Ordinance Amending Section 3-2-8 of the Village Code Regarding the Number of Liquor Licenses Available

Motion by Trustee Butler

Second by Trustee Villa

Roll Call Vote

Ayes: 6 (Trustee Villa, Armstrong, Miosi, Butler, Mount & Mattingly)

Nays: 0

Motion Carried

B. An Easement Agreement with Avon School for a Sidewalk

Motion by Trustee Miosi

Second by Trustee Butler

Roll Call Vote

Ayes: 6 (Trustee Armstrong, Miosi, Butler, Mount, Mattingly & Villa)

Nays: 0

Motion Carried

C. An Ordinance Amending Appendix A, Article VIII of the Code of Ordinances Establishing the Lake Overlay (L-1) District and Regulations Therefore

Planning and Zoning Director, Jon Wildenberg explained the Lake Overlay Ordinance.

Jon explained that the Planning and Zoning Commission have had several public hearings on the Lake Overlay in the past year. He said that the Lake Overlay Ordinance pertained to properties that abutted up to the lake and go a little up the Channel. He stated it covered the intensity and density of future development and architectural review. Jon said that it was proposed to influence how new development is and how the area is redeveloped in the Overlay District. Jon explained the Exterior Appearance Review process. He said if the update is only 15% of the EAV that it could be either done by permit or exempt process. If the EAV was 15-25% then there would be an abbreviated process with the Economic Development Staff and anything over 25% would go through the Planning and Zoning Commission then to the Board for review. He spoke of the Blanket Provision in the Ordinance explaining that an exemption would be made if an act of God such as a fire or other casualty took place and the damage was under 50 % of the house value. He stated they would qualify under the legal non-conforming provision.

Mayor Hill thanked Jon Wildenberg for his explanation and stated there would be public participation prior to the regularly scheduled public participation pertaining to the Overlay District.

John Wilczynski of 913 Lake Shore Drive addressed the Village Board. He stated that most of the houses in the Overlay District were conforming but now would be non-conforming. Scott Puma, Village Attorney, said that the changes were minimal. Jon Wildenberg, stated the new minimum lot sizes would be geared towards new developments and only if a there was a catastrophic event with over 50% damage to the home that it would go in front of the Planning and Zoning Commission and Village Board.

Kristina Rosen of 291 E. Lakeview addressed the Village Board. She stated she has been living at 291 E. Lakeview for the past 8 years and felt the rules were being changed. She was concerned of the goals of a future Village Board and the Overlay District Ordinance. Trustee Miosi, inquired about what would happen if the damages were over 50%. Scott Puma, Village Attorney, stated that they would have to come to a Planning and Zoning Meeting for variances.

Jon Wildenberg explained about the current development around the lake. He stated the East Shore was least developed. The West Shore was a public park and a few homes. Jon stated that South of the park there are 7 homes stating that 4 of the 7 homes were on double lots and the other 3 were on 40' lots. Jon Wildenberg explained that the North Shore had variable conditions.

Trustee Mattingly asked Jon Wildenberg how many of the conforming lots would change to non-conforming lots. Jon Wildenberg said that there would be 3 lots on West Side and 6 lots on the North side.

Mayor Hill added that on Cedar Lake Road was residential and now is commercial. He stated that the same language was used when changing the zoning on Cedar Lake Road.

John Wilczynski of 913 Lake Shore Drive stated he was concerned about half of the lake being beautiful and the other half that was in different city not following the same Ordinance.

Mayor Hill addressed John Wilczynski and stated that the other Villages would be made aware of the new Overlay. It would be up to their Village Boards to decide if they wanted to pass a similar Ordinance.

Trustee Armstrong inquired about Kristina Rosen's question about the future board making decisions about the Overlay District and wanted to know if there was a way to of adding a provision.

Mayor Hill stated that it would defeat the purpose of the Overlay District.

Scott Puma, Village Attorney, stated that to avoid the Equal Protection Clause under the Constitution there must be a uniform application of the Ordinance to the entire zoning district.

Mayor Hill, asked Dave Kilbane, Village Administrator if he remembered circumstances when a similar situation had come up in the past. Mayor Hill thought that the rules of all the lots in a specific district must be consistent. Scott Puma, Village Attorney agreed with Mayor Hill and said that it was best not to make exceptions because of the uniform application of the law.

Trustee Armstrong asked about a house destroyed 100% in a fire and if the insurance company would pay to make the house conforming. Mayor Hill stated that it would probably depend on the insurance the homeowner had. Trustee Armstrong felt positive about the Overlay District but wanted clarification on possible residents affected.

Dave Kilbane, Village Administrator stated that when writing the Ordinance the Planning and Zoning Commission wanted to protect the municipality as well as the current homeowner. He stated that standardized language of 50% for replacement was put in place by the Planning and Zoning Commission to be uniform.

Jon Wildenberg, stated that lot of the lots were platted in the 1920's and 1930's which predated current zoning in the County or Village. Jon said they must do best with what is available.

Ms. Jeran of 297 Lakeview addressed the Village Board. She stated her concerns about her property and the Overlay District Ordinance.

Trustee Villa asked if the Overlay District Ordinance could be tabled for a future standing committee meeting. Mayor Hill stated that it had been in discussions for the past year but could be tabled.

Trustee Armstrong asked Jon Wildenberg the number of new lots there were in the Overlay District. Jon Wildenberg stated that on the North Shore there were 3 lots, the East Shore had many lots and the West Shore did not have any lots because it was mainly a park.

Trustee Mattingly inquired how the 50% would come into play if the lot were sold and if the homeowners would have trouble selling the lot. Scott Puma, Village Attorney reiterated that Equal Protection challenges could be faced if exceptions were made.

Trustee Villa asked if there was a Grandfather Clause. Scott Puma, Village Attorney said that if they had a legal non-conforming situation it was grandfathered in. Scott Puma, Village Attorney said to trust the process and that certain standards are in place.

Mayor Hill stated that from time to time new standards must be set and inquired if the Village Board would be voting or tabling the Overlay District Ordinance. The Village Board agreed that they would be voting.

Motion by Trustee Mount
Second by Trustee Miosi
Roll Call Vote
Ayes: 4 (Trustee Miosi, Butler, Mount & Mattingly)
Nays: 2 (Trustee Villa, & Armstrong)
Motion Carried

OPEN TO PUBLIC PARTICIPATION

John Wilczynski of 913 Lake Shore Drive addressed the Village Board. John asked if the zoning line could be redrawn where the vacant lots were. Trustee Miosi inquired if that would be possible. Mayor Hill stated that it would change the whole Overlay District.

Tim Pasternak of 1933 N. Oak Tree Trail thanked the Village Board for their courage. He stated that he was a resident and also was a member of the Round Lake Management Commission. He hoped for the passion towards the lake. He also addressed the less than pleasant train horns that used to come through town and now the trains no longer blowing horns through the Village due to the new Quiet Zone Ordinance. He thanked the Board. He also inquired if Mayor Gentes would be getting on board with the Quiet Zone. Mayor Hill stated Mayor Gentes was working on the Quiet Zone.

Tim Pasternak stated that the Round Lake Management Commission had sent a survey to the residents. He said it was questions pertaining to how the lakefront property owners interacted with the lake and any concerns they might have. He stated that anyone interested in the survey he could provide them with one. Tim further stated that the annual meeting had been postponed so that the survey results could be compiled which would be held January 31, 2008 at the Cultural and Civic Center.

Angela Atwater of 1159 E. Tedy Court addressed the Village Board. She stated her sons Eric and Elijah Atwater were recently selected to participate in the People to People Ambassador Program. This program lets students take the classroom out into the world where they are able to travel and gain hands on experience in culture as well as do a home study where they stay with a host family. She asked the Village Board for possible sponsorship for the trip.

Mayor Hill asked Ms. Atwater if she had any literature. Ms. Atwater presented literature regarding the program. Additionally, Mayor Hill asked if she had approached the Round Lake Area Chamber of Commerce. Mayor Hill thanked Ms. Atwater and let her know that the Chamber was open 9:00am until 5:00pm Monday through Friday at the Round Lake Beach Cultural and Civic Center.

EXECUTIVE SESSION

Probable/Pending Litigation, Land Acquisition, Executive Session Minutes & Personnel

Motion to go into Executive Session

- 8:18 P.M.

Motion by Trustee Miosi
Second by Trustee Armstrong
Roll Call Vote
Ayes: 6 (Trustee Villa, Armstrong, Miosi, Butler, Mount & Mattingly)
Nays: 0
Motion Carried

Motion to return to Open Meeting

- 9:00 P.M.

Motion by Trustee Butler
Second by Trustee Miosi
Roll Call Vote
Ayes: 6 (Trustee Villa, Armstrong, Miosi, Butler, Mount & Mattingly)
Nays: 0
Motion Carried

Motion to Adjourn

9:00 P.M.

Motion by Trustee Butler
Second by Trustee Miosi
Roll Call Vote
Ayes: 6 (Trustee Villa, Armstrong, Miosi, Butler, Mount & Mattingly)
Nays: 0
Motion Carried

ADJOURNMENT

- 9:00 P.M.

Mayor Richard H. Hill

Village Clerk Sylvia Valadez

Date