

**VILLAGE OF LAKEWOOD
MINUTES OF THE VILLAGE BOARD MEETING
OCTOBER 27, 2020**

The Village Board Meeting was called to order by President Stephan at 7:00 p.m. Present via Zoom were Trustees Augustine, Berman, Eddy, Odom, and Ulrich. Also present via Zoom were Chief Administrative Officer Jeannine Smith, Village Attorney Michael Smoron, Village Clerk Janice Hansen, and many members of the public.

President Stephan stated that tonight we are going to be making appointments to the Village Board of Trustees and the Planning and Zoning Commission. Attorney Smoron, can you take a moment to explain the appointment process.

President Stephan remarked that presenting Dan Alexander for Trustee tonight, he must note that he didn't interview with Trustee Amy Odom. It was concluded that we did not believe Amy was representative of the Village Board in light of the litigation she has brought against the Village that continues to drag on even today. If anyone wishes to have a copy of the complaint brought against the Village by Trustee Odom, it will be made available at Village Hall upon request with no FOIA necessary beginning tomorrow during normal business hours.

Dan Alexander did have the opportunity to meet with the other Trustees at different times in accordance with the Open Meetings Act before tonight's meeting.

Trustee Ulrich, seconded by Trustee Augustine, moved to appoint Dan Alexander as Trustee through April 2021 with the advice and consent of the Village Board. Voting Aye: Trustees Augustine, Berman, Eddy, and Ulrich. Voting Nay: Trustee Odom. Motion declared carried.

At this time Attorney Smoron swore in Daniel Alexander as Trustee through April 2021.

President Stephan introduced Paul Shamoun.

Trustee Ulrich, seconded by Trustee Eddy, moved to appoint Paul Shamoun as Commissioner to the Planning and Zoning Commission with the Advice and Consent of the Village Board. Voting Aye: Trustees Augustine, Berman, Eddy, and Ulrich. Voting Nay: Trustee Odom. Motion declared carried.

Attorney Smoron swore in Paul Shamoun as Commissioner to the Planning and Zoning Commission.

President Stephan took a moment to address items that were brought to his attention recently regarding Turnberry Lakes.

First, Ms. Babischkin has expressed concerns regarding the Dam on Lake 2 and has suggested that the sky is falling because the Dam hasn't been inspected since 2008 that is not true. What's

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being overlooked are the Village Board and the engineering firm's work and restoration efforts in late 2015, in the words of the Village staff has extended the life of the Dam by 50 years.

Next, Ms. Babischkin has represented that aerators were removed and sold by the Village, and more disturbing, that the Village no longer treats Lake 2. Both these statements are incorrect. First, the aerators are still there and using them proved to contribute to the lakes weed problems. The bubbles generated by the system created additional surface area that increased the amount of algae. This was documented with these pictures. Second, the Village through EAM continues to treat Lake 2, as well as the other Turnberry Lakes, for weed maintenance. There has been no interruption or break in maintenance for the Lakes.

President Stephan does not know why these misrepresentations are being made but residents are confused by these statements and have asked me to address them. Particularly when residents point out that the lakes have never looked better. The Turnberry Lakes are an incredible amenity to the Village and the Village works hard to keep the looking pristine.

There will be a folder with the correct information; pictures and diagrams addressing these issues, available for anyone to pick up beginning tomorrow at Village Hall during normal business hours. A simple phone call to Village Hall can stop this bad information and get the correct answers to any questions from the correct source. The thought of damming up lakes would never happen.

President Stephan addressed the claim during Public Comments by Ms. Babischkin that RedTail is \$300,000 in the red which is completely false. RedTail's financials are in the Board Packets and anyone can see the truth as it appears that Ms. Babischkin has misinterpreted for months these financials. Last year Kenny Goodwin, Jeannine and the President got together and put together a business plan to make RedTail profitable where past managers struggled to do so in the past.

President Stephan asked RedTail Golf Manager Kenny Goodwin to give the most recent update. Manager Goodwin remarked that any golf course is doing well this season. He wants to comment on RedTail's margins and look at the average revenue. Last year we averaged \$28 per player. Because of all the managerial adjustments we are over \$42 per player this year. There a lot of reasons why, I believe when I took this job I wanted to change the overall experience at RedTail. The one thing he wants everyone to know is that RedTail staff enjoys going to work. He had hired Golf Pro Jim Rafferty who is a huge asset. All staff is 100% happy and it shows through our customers. People not only come to play golf, put we are keeping them in house to purchase a hot dog or something. The little things we have done are important to make RedTail thrive. We are getting really good profits and he is proud of his staff. They are one hell of a team and we are doing very well. Things are looking great for RedTail this year. We have built relationships with our clients and members, RedTail will thrive for the next five plus years.

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President Stephan thanked Manager Goodwin for his kind words. He has looked at some of the numbers and the profits for food and beverage are up 400% and our margins are through the ceiling. Tell your staff to step back and take a bow. Yesterday we had a Bears party with local residents having a great time. October 31 there will be 100 golfers which is unheard of. They will all receive a knit hat with a new logo when they walk in. It shows that you are providing a great product, it shows that the margins are up from \$28 to \$48 per round.

President Stephan read an email from a Village resident thanking him and the Board for the fantastic resurfaced road on Beaver Pond Court. It makes our street look updated. She realizes that the Board has to make a choice each year due to funding as to which few streets can be done, so we are very grateful. Signed Karen Ryberg.

President Stephan commented that we have had a great year with resurfacing. Had a lot of hiccups, many of these roads are not what they appear to be. We are using HR Green as our engineer. Their engineer will be watching the resurfacing, this is why we will have quality service with roads that will last for years. What is left with our resurfacing is the triangle which they began the work today. Then they will move down Broadway with the patching and come up Melrose. That should be completed along with the striping along with proper sign placement by November 6, 2020.

PUBLIC COMMENTS:

Andy Knapp of 7814 Fairway Drive also the President of the Turnberry Property Association remarked about the driving range lighting system at Turnberry Golf Club which shines all the way to his home. They are not complying with Village Code with low profile lighting. Mr. Knapp quoted Village Code regarding lighting in a residential area. Residents believe this is an eyesore. Since the lights do not comply with Village Code they would like them removed as soon as possible. Mr. Knapp would like to see a copy of the cease and desist letter from HR Green and Turnberry Golf Club permit application. He would like to make sure that those lights are not turned on again. He wants to see the application for the lighting. They would like to see the Golf Club succeed but there needs to be representation and feel that the Village should address this. The Village and TPA can meet with the owner of Turnberry and discuss a resolution.

President Stephan would like to address this. He has talked with Andy while the lights were on. Since then the Village has issued a citation to the Golf Club and they are aware they are in violation. HR Green has sent them violation if they turn the lights on they will be fined \$500 per day. They currently have a permit submitted to HR Green. Andy there is no FOIA necessary. Anyone that needs information, come into the Village Hall tomorrow. He will have the violation served to the Golf Club.

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Tricia Babischkin of 8404 Trevino Way stated that she is here this evening to find out if the residents can get more information on a few of the things that have been going on around the Village. At the last meeting, I heard Phil announce that we would have the financials at this meeting. I note no financials in the packet this meeting and I note that there is neither a budget review that a Trustee called for two meetings ago nor the audit that is required by IL Code to be completed within 6 months of the close of the fiscal year. Perhaps someone can explain the delays and why the audit has not been completed? Also, what is the status of the irrigation well for RedTail? It was approved in May. It's been 5 months and 3 months since Gary told the residents that the test well would be drilled that week. Why have we no update on it? Speaking of irrigation, why is the earthen dam that holds the water in the Turnberry Lakes covered in trees, brush, and shrubs? Il Department of Natural Resources states that earthen dams need to be grass covered, with no trees as the roots can cause leaks. Has the dam and spillway been inspected in the last 10 years? What's the maintenance plan for that? Plus the last board meeting, I heard Trustee Augustine mention that there were 6 new houses started in the village, curious if those were the houses that were started last year or are those 6 in addition to the 6 started last year? But more importantly, Mr. Augustine mentioned that he felt this was due to the waiver on the impact fee; but I'm confused, I thought the direction in July was to have CAO Smith negotiate an impact fee waiver with a single builder and that waiver would be brought back to the board for approval. I have not seen that get approved. So, what is the status of the impact fees today? Are they waived and if so, where was the Board approval? Just for a single builder or for the entire Village? Finally, the Facebook for RedTail Golf Club seems to be compromised. The Facebook seems that we are supporting a magazine from the UK. If that is the case why are we advertising brands that are not carried in the Pro Shop. If it was compromised, it should have been fixed.

Judy Minsley of 436 Wiltshire Lane commented that she suggested 2 weeks ago that by simply updating and expanding access to the Village website, Facebook page and newsletters, you can more effectively communicate with residents without extra cost. So I'd like to comment instead on something President Stephan said that night about your 2019 SWOT meeting "One of our biggest problems we all agreed on was the need to improve communication and customer service. To build a better Lakewood we cannot achieve this without residents input, and improving communication is a key." To be fair, you have indicated that you'll be seeking input on the Broadway median and the new park on Haligus. But, for the most part, you have yet to come up with a long-term plan based on the detailed input of the Storm Water Task force years ago; have been ignoring many questions and input from residents regarding serious budgetary & fiscal issues, Open Meetings Act and Code violations, and have yet to even acknowledge, much less act on, the input by petition last spring of over 200 residents asking for an independent investigation into the disturbing employee complaints without so much as communicating to us why you felt your own fact finding was preferable. Some of you still complain about the "Our Village Our Voice" yard signs, which give you daily input that many of us still don't accept the toxic atmosphere of bullying and harassment and the loss of so many employees due to this, I hate to say it, but it's become apparent that you only want input that supports your agenda or

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praises your actions. May I suggest that to truly be effective, communication must be a 2-way street, and effective leadership is only accomplished with transparency, honesty and integrity?

Shelby Younge of 6915 Inverway commented that unfortunately we are in the midst of a big election right now. Every time someone has something to say and it is not on Phil's agenda the questions are not answered. It is time that you answer their questions. People are anxious that you have something to hide. We have had many meetings with many questions that have gone unanswered. She has a few basic questions. First and foremost and most important is when is the formation of the Ethics Committee which is required by the Village Code, when is this going to occur? When are you going to address current Village turnover? Also, when are we going to have a discussion without the Village Board discouraging questions and comments? There is a need for respect between the residents and the Board. She is very curious how you can appoint a new Trustee without discussion from the entire Board. That is not okay, that is not fair, and representing the entire community. You actually choose this resident because he goes with your agenda. You need to consult all of your Trustees whether or not they consent with some of your issues. Where is transparency, where is your marketing plan. We do not need a \$300,000 plan from the State of Illinois, where is the Village's marketing plan? We are looking for good leadership.

Bryan Younge of 6915 Inverway commented on a FOIA requesting a police report regarding Pam Eddy and Todd Richardson. President Stephan questioned Mr. Younge interrogating a Trustee. Attorney Smoron stated it is up to the discretion of the Board if there should be a response. President Stephan does not want to violate any of Trustee Eddy's rights. Mr. Younge commented on an email he sent to Trustee Eddy where she felt uncomfortable with the content. She reported the email to Todd Richardson where he advised her that it was not threatening to him to take any action at the time. Todd Richardson assured her to contact him or McHenry County Sheriff's Office if there are any problems. The police report was witnessed by Officer Wiegel and approved by Sargent Winters. Mr. Younge commented that Trustee Berman said that Todd Richardson would not help Trustee Eddy. This is a misrepresentation by Trustee Berman. Mr. Younge asked Trustee Eddy to explain.

President Stephan commented that information clarifying some of tonight's questions will be available at Village Hall tomorrow to all without a FOIA.

President Stephan remarked to Golf Manager Kenny Goodwin that people keep saying there is this huge turnover. President Stephan knows that some of the people went back to college a couple of weeks ago. Can you tell us what is going on at RedTail, he sees great morale. Is there turnover, are we missing something? Manager Goodwin thinks that everyone that is working for him is currently excited to come back next year for sure.

CONSENT AGENDA: The following were considered and enacted on a single motion by Trustee Berman, seconded by Trustee Ulrich:

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APPROVAL OF MINUTES: October 13, 2020 Regular Village Board Meeting

APPROVAL OF BILL LIST: Accounts Payable Invoices Dated October 28, 2020 in the Amount of \$84,092.61

APPROVAL OF FINANCIAL STATEMENTS: None

Voting Aye: Trustees Alexander, Augustine, Berman, Eddy, and Ulrich. Voting Nay: Trustee Odom. Motion declared carried.

ITEMS REMOVED FROM THE CONSENT AGENDA: None

APPROVAL OF HR GREEN ENGINEERING AGREEMENT FOR ADDITIONAL RESURFACING PROGRAM SERVICES IN AN AMOUNT NOT TO EXCEED \$4,460:

The Board authorized expenditures for pavement marking and miscellaneous patching as part of the budget. Staff anticipated completing the work which included miscellaneous patching at various locations within the Village and a new bike lane accommodation along Oakwood Drive. It was determined that it would be more costly to rent equipment and pull Public Works staff away from other duties. HR Green will provide the design and construction engineering services to complete these projects. It is anticipated that we will stay within budgetary constraints for material and labor.

Trustee Augustine, seconded by Trustee Berman, moved to approve HR Green Engineering Agreement for additional resurfacing program services in an amount not to exceed \$4,460. Voting Aye: Trustees Alexander, Augustine, Berman, Eddy, and Ulrich. Voting Nay: Trustee Odom. Motion declared carried.

APPROVAL OF ORDINANCE NO. 2020-23 – AN ORDINANCE AUTHORIZING EXECUTION OF THE ILLINOIS PUBLIC WORKS MUTUAL AID NETWORK AGREEMENT (IPWMAN): President Stephen commented that this program was established to provide a method whereby Public Works related agencies, including, but not limited to, local municipal Public Works Departments, public water agencies, and public wastewater agencies or any other governmental entity that performs a public works function in need of mutual aid assistance may request aid and assistance in the form of personnel, equipment, materials and/or other associated services as necessary from other public works related agencies. This aid is voluntary and with a membership of over 380 agencies across the state. The annual membership is \$100 per year based on population (under 15,000).

Trustee Augustine, seconded by Trustee Ulrich, moved to pass Ordinance 2020-23. Voting Aye: Trustees Alexander, Augustine, Berman, Eddy, Odom, and Ulrich. Voting Nay: None. Motion declared carried.

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APPROVAL OF THE CHILD ADVOCACY CENTERS MEMORANDUM OF UNDERSTANDING AND ADOPT THE CHILD ADVOCACY BOARD PROTOCOL FOR THE LAKEWOOD POLICE DEPARTMENT BETWEEN JANUARY 1, 2019 THROUGH DECEMBER 31, 2020: President Stephan commented that the Child Advocate Center (CAC) of McHenry County is a facility utilized for a multidiscipline approach to the investigation, prosecution, an treatment of alleged victims of child abuse. This facility is utilized by the Department of Children and Family Services, Law Enforcement, State's Attorney's Office and the Department of Court Services. The CAC is fully accredited by the National Children's Alliance. As part of accreditation the facility has a memorandum of Understanding and Child Advocacy Advisory Board Protocol which must be signed by all government units that would utilize the facility and its services.

Trustee Alexander, seconded by Trustee Berman, moved to approve the Child Advocacy Centers Memorandum of Understanding and adopt the Child Advocacy Board protocol for the Lakewood Police Department between January 1, 2019 through December 31, 2020. Voting Aye: Trustees Alexander, Augustine, Berman, Eddy, Odom, and Ulrich. Voting Nay: None. Motion declared carried.

REPORTS:

Chief Administrative Officer Jeannine Smith reminded everybody that Trick or Treat hours are Saturday, October 31, 2020 from 2 p.m. to 7 p.m. Saturday is time to turn the clock back.

President Stephan remarked on traffic study results. Understandable people are home a lot more these days and people are requesting speed surveys. We have had set speed monitors set on various streets throughout the Village. Lake Avenue has two permanent monitors. We created a new situation on Bard Road and removed the island. Residents were concerned that it would turn into a drag strip. The average speed on Bard is 23 mph, so we don't have an issue there. Another one that comes up is Lake Avenue, these figures are staggering. Over two million cars go through Lake Avenue annually. The average speed is 32 mph and 82 percentile is 35 mph with no actual incidents. No one is speeding, it is a perception issue. You can discuss this with our Acting Chief Paul. All this useful information will be available at Village Hall tomorrow.

There is one other thing; we are redoing our Village street signs in the older areas. If you where to drive through Turnberry, they look like they are eaten by a beaver. They are not the elevated standard of living within the Village that he thinks our residents deserve. This will also be available at Village Hall. Trustees all received copies of this; it was in the Board packet. We are going with a wrought iron top instead of the older four by fours and a beaver proof bottom so they won't get chewed away. This will bring some style to the Village. You will see the first ones going up in high visible areas, Turnberry Trail by Lakewood Road and Turnberry Trail by Bard Road. The first one is in Georgetown on Lenox. He thanks Gary for doing all the leg work on making this a cost effective beautification project.

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Trustee Berman expressed excitement on having Dan Alexander appointed as Trustee. He is a good guy and cares about the kids in the subdivision. He believes it is a really good pick.

Trustee Eddy would like to see where we are currently on the Budget, we do not have any idea how we stand within our Budget and it is difficult to approve expenditures when you have no idea where we stand. She knows that there is talk about HR Green being expensive but we do need at some point need to discuss our permit fees. Plus to see if we have enough of money to cover HR Green fees.

President Stephan remarked that it makes total sense to have our fees in line with HR Green fees. Even our building codes need to come back to speed. As far as financials, I cannot discuss employees, but CAO Smith has brought in a temp to get our financials back up to speed.

Trustee Odom just wanted to say that she actually appreciates about having a copy of the information regarding suing the Village for resident to read it. She feels it is important for everyone to understand that this is because she is not being given information that was given to the rest of the Board. Trustee Odom stated that she does not have anything personal against Dan but residents should have had the opportunity to weigh in on his appointment.

President Stephan added that he has included in the papers available at Village Hall the response to her Open Meetings Act violation to the Attorney General that was rejected. Residents will find out that maybe we are doing things by the book. Also included in the packet is the latest episode at our law office by Todd Richardson.

President Stephan commented that he is not aware of having a Town Hall Meeting before appointing a Trustee to fill in an unexpired term.

With nothing further to discuss, Trustee Ulrich, seconded by Trustee Augustine, moved to adjourn the meeting. Voting Aye: Trustees Alexander, Augustine, Berman, Eddy, Odom, and Ulrich. Voting Nay: None. Motion declared carried. The meeting adjourned at 7:54 p.m.

Janice S. Hansen
Village Clerk

Approved: _____ Dated: November 10, 2020

