



## **MINUTES**

Village Board Meeting  
Tuesday, September 19, 2017  
6:00

Cary Village Hall  
655 Village Hall Drive  
Cary, IL 60013

### **I. Call to Order**

This meeting was called to order at 6:00 p.m. by Mayor Kownick.

### **II. Roll Call**

Present: Mayor Kownick and Trustees Betz, Weinhammer, Kraus, McAlpine and Cosler

Absent: None

***Mayor Kownick entertained a motion to allow Trustee Covelli to participate via audio conference. So moved by Trustee Cosler, seconded by Trustee McAlpine.***

***Ayes: Weinhammer, Betz, McAlpine, Kraus, Cosler***

***Nays: None***

***Abstain: None***

***Motion Carried.***

Others present included Village Administrator Jake Rife, Public Works Director Erik Morimoto, Community Development Director Brian Simmons, Finance Director Michael DuCharme, Police Chief Pat Finlon, Village Attorney Adam Simon and members of the audience per the sign-in sheet.

### **III. Pledge of Allegiance**

Mayor Kownick led in the recitation of the Pledge of Allegiance.

### **IV. Open Forum**

Sharon Miller, 248 Bell Drive, stated Village officials may not get along, but they were elected to work together to grow and maintain the community for the residents of the Village of Cary. Ms. Miller stated that at the last meeting she witnessed the Village Board not working well together. Ms. Miller stated Board members may not like each other personally but Village Board members should put petty differences aside and make a difference.

Erin Hauck, 1332 Galway Drive, thanked the Mayor for his vision of the Cary Main Street Festival. Ms. Hauck stated it has become her family's festival of the fall, which she also volunteers for. Ms. Hauck's daughters thanked the Mayor and Village Board and stated the Fest was a lot of fun.

Kassy Pinter, 325 Bryan Drive, thanked the Village for supporting the vision of the Cary Main Street Festival. Ms. Pinter also thanked Lynn Caccavallo of the Chamber of Commerce for her tireless dedication and hard work. Ms. Pinter stated the Fest provides volunteer opportunities for the community's teenagers who are required to volunteer hours by many of the organizations they are involved in, as well as for college and scholarship applications. Ms. Pinter stated a portion of the donations taken at the entrance to the Fest goes back to the non-profit organizations that provide volunteers for the event. Ms. Pinter stated the financial support of the Village makes this possible and she would like the Village to continue to help provide the financial assistance to the Chamber in order to continue the program for the non-profits.

Mayor Kownick closed Open Forum at 6:09 p.m.

**V. Mayor's Report**

1. Mayor Kownick thanked the Cary-Grove Chamber of Commerce for the success of the Cary Main Street Fest. Mayor Kownick also thanked Director Morimoto and the Public Works Department for their hard work and many hours put in to the Fest. Mayor Kownick stated the efforts of Chief Finlon and the Police Department were outstanding and it was wonderful to see the officers interacting and engaging with the festival attendees. Mayor Kownick also thanked the businesses that supported the Fest as well as the 390 volunteers who dedicated their time.
2. Mayor Kownick read a proclamation recognizing National Fire Prevention Week, October 8-14, "Every Second Counts: Plan 2 Ways Out!"
3. Mayor Kownick read a proclamation recognizing Lions Club Candy Days, October 13 & 14

**VI. Consent Agenda**

1. Consider for Approval the Warrant Dated 09/19/2017
2. Consider for Approval an Ordinance Amending Section 10.32.005 – "Parking Prohibited" of the Code of Ordinances of the Village of Cary for New Haven Drive
3. Consider for Approval a Resolution Authorizing an Addendum to the Services Agreement between the Village of Cary and Prescient Development; Authorizing an Intergovernmental Agreement between the Village of Cary, Village of Glencoe and Village of Libertyville; and Authorizing a Memorandum of Agreement between the Village of Cary, Village of Glencoe, Village of Libertyville and Prescient Development
4. Consider for Approval the Sale of Two Cary Cemetery Burial Plots
5. Consider for Approval a Resolution Authorizing the Village Engineer to Withdraw the Algonquin Township Road District's Silver Lake Road/Crystal Lake Road Intersection Improvement from the McHenry County Council of Mayor's Surface Transportation Program

**Motion: Trustee Cosler moved, seconded by Trustee Kraus to approve Consent Agenda Items #1 – #5.**

**Ayes: Betz, Cosler, Covelli, Kraus, McAlpine, Weinhammer**

**Nays: None**

**Abstain: None**

**Motion Carried**

**VII. Items for Separate Action**

1. Consider for Approval Minutes of the September 5, 2017 Village Board Meeting

**Motion: Trustee Kraus moved, seconded by Trustee McAlpine to Approve the Minutes of the September 5, 2017 Village Board Meeting.**

Discussion

Mayor Kownick stated there were 3 versions of minutes before the Board. Trustees Kraus and Covelli asked for clarification on which set of minutes they were voting to approve. Mayor Kownick stated the minutes in the Board packet are the ones being considered.

**Ayes: Kraus, McAlpine, Betz, Kownick**

**Nays: Cosler, Covelli, Weinhammer**

**Abstain: None**

**Motion Carried.**

2. Consider for Approval the Revised Minutes of the September 5, 2017 Committee of the Whole Meeting

**Motion: Trustee Kraus moved, seconded by Trustee McAlpine to Approve the Revised Minutes of the September 5, 2017 Committee of the Whole Meeting.**

Discussion

None

**Ayes: Covelli, Kraus, McAlpine, Weinhammer, Betz, Cosler**

**Nays: None**

**Abstain: None**

**Motion Carried**

Trustee Covelli ended the audio conference and joined the Village Board meeting at 6:21 p.m.

3. Consider for Approval Minutes of the August 1, 2017 Village Board Meeting

***Motion: Trustee Kraus, seconded by Trustee McAlpine, to Consider for Approval the Minutes of the August 1, 2017 Village Board Meeting as Originally Presented, Exhibit A.***

Discussion

Trustee Weinhammer stated she did not understand why she was asked to submit edits verbatim if they are not going to be included. Trustee Weinhammer stated she feels other Trustees are voting against her because the edits came from her.

Trustee McAlpine stated that there is an error on page 6 of the August 1, 2017 Village Board Meeting minutes in the paragraph that discusses the holdover appointments.

Trustee Weinhammer stated that she had addressed this error in the edits she submitted and that the other Trustees are voting against her again. Trustee Kraus stated that based on previous Board agreement, the minutes are to be summarized and not verbatim as Trustee Weinhammer would prefer.

Trustee Cosler stated that the Board should not approve certain corrections and deny other corrections. Trustee McAlpine stated that the edits should be factual based on what actions the Board took, and that Trustee Weinhammer's edits are not necessarily actions that the Board took but rather personal back-and-forth conversation.

Attorney Simon stated that the issue before the Board is to consider the August 1, 2017 minutes labeled Exhibit A.

***Ayes: Kraus, McAlpine, Betz, Kownick***

***Nays: Cosler, Covelli, Weinhammer***

***Abstain: None***

***Motion Carried***

4. Consider for Approval an Ordinance Amending Title 2 – Administration and Personnel, Chapter 2.300 – Administrative Adjudication, Section 2.300.90 – Fines and Costs Applicable to All Offenses and Title 5 – Business Taxes, License and Regulations, Chapter 5.28 – Solicitors

***Motion: Trustee McAlpine, seconded by Trustee Betz, to Consider for Approval an Ordinance Amending Title 2 – Administration and Personnel, Chapter 2.300 – Administrative Adjudication, Section 2.300.90 – Fines and Costs Applicable to All Offenses and Title 5 – Business Taxes, License and Regulations, Chapter 5.28 – Solicitors.***

Discussion

Chief Finlon provided background on the proposed ordinance changes.

Trustee Weinhammer asked for clarification that minors would have to obtain a permit according to the changes proposed. Chief Finlon stated that an adult supervisor from the youth group would be required to obtain a permit which would cover the whole youth group. All youths that would be involved with soliciting would be given photo ID badges that would identify the group they are associated with and the expiration date of the permit.

Trustee Weinhammer stated she was not supportive of putting photos of the youths and their names on the ID badges.

Trustee Covelli stated she is supportive of the proposed ordinance.

Trustee McAlpine stated that she spoke to many parents of children in youth groups and she feels the majority of them were not supportive of the changes.

Trustee Covelli stated that there are many scam artists who tend to target elderly residents, and the proposed changes would assist the police department in vetting people applying for permits.

**Ayes: Cosler, Covelli**

**Nays: Weinhammer, McAlpine, Betz, Kraus**

**Abstain: None**

**Motion Failed**

5. Consider for Approval a Resolution Authorizing a Public Comment Policy

**Motion: Trustee Kraus, seconded by Trustee Betz, to Consider for Approval a Resolution Authorizing a Public Comment Policy.**

#### Discussion

Administrator Rife provided background on the proposed Public Comment Policy.

Trustee Cosler stated he had concerns about the drafted Public Comment Policy and feels it is overreaching and subjective. Trustee Cosler suggested tabling this item for further discussion with the goal of reaching a compromise.

Trustee McAlpine stated that the Board had previous discussions to get input from Board members to come up with the proposed Public Comment Policy. Trustee McAlpine asked why Trustee Cosler did not express his concern during the previous discussion.

Trustee Cosler stated he is also concerned with the language of the first paragraph, which refers to the second opportunity for public comment during specific agenda items, when the Board has determined whether public comments would be beneficial to the Board.

Mayor Kownick stated he feels it is important that residents are aware of guidelines when addressing the Board. Mayor Kownick supports tabling this item for further discussion.

Trustee Kraus supports the Public Comment Policy as it has been presented and does not recommend tabling the item.

***Motion: Trustee Cosler moved, seconded by Trustee Weinhammer to table this item for further discussion.***

***Ayes: Cosler, Covelli, McAlpine, Weinhammer, Betz, Kraus***

***Nays: None***

***Abstain: None***

***Motion Carried***

#### **VIII. Administrator's Report**

Village Administrator Rife stated the Maplewood Property developer will again come before the Committee of the Whole on October 3, 2017.

#### **IX. Department Head Reports**

Director Morimoto discussed the Eagle Scout Pollinator Garden Demonstration Project by David Iaccino. David selected native plants and other flowers that encourage pollinators such as bees and butterflies to establish in the area, designed the garden and coordinated a team of 11 volunteers to assist with the planting at an area near the Public Works facility.

Director Simmons stated William Ryan Homes has officially withdrawn their zoning petition from the development process for the West Lake subdivision.

#### **X. Future Agenda Items and Discussion by Village Board**

Trustee Kraus stated he would like to see a standing item on the agenda where the Trustees would be allowed to discuss items such as events they may have attended, items related to Village business, etc.

Trustee McAlpine stated she was hopeful after the last meeting that some of the negative social media postings and comments regarding people's reputations would diminish. Trustee McAlpine stated she feels social media posts are misleading to residents and cited that the Board meetings are taped and live-streamed for residents to view in their entirety. Regarding the appointments by Mayor Kownick, Trustee McAlpine stated that all Board members were asked if they had any issues with the qualifications of the appointees.

Trustee Kraus stated he feels the Future Agenda Items discussion is not the forum to discuss these issues.

Trustee McAlpine stated she would like to see the Board work together and move in a positive direction that is beneficial to the Village.

Trustee Weinhammer stated nothing she has said or put out on social media is incorrect.

Trustee Kraus stated that there should be a line for common decency that should be followed.

Trustee Weinhammer stated she feels that by trustees not voting to include her edits to the minutes demonstrates bias against her. Trustee Kraus disagreed and stated he voted to include Trustee Covelli's edits because he agreed with them, but he did not agree with Trustee Weinhammer's edits.

Trustee Weinhammer asked about the application process regarding open appointments. Mayor Kownick stated there are no openings for appointments. Mayor Kownick stated that an application was received, however, since there are no current openings the applicant was sent a letter stating this. The Mayor stated when there is an opening for appointments there will be an open process.

**XI. Adjourn**

There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:17 p.m.

**MOTION: Trustee Kraus**

**SECOND: Trustee McAlpine**

**The Voice Vote noted all ayes and the motion carried.**

**Respectfully Submitted,**

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**Janice Rhodes, Village Clerk**

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**Susan Greene, Deputy Village Clerk**