

The 2960th Regular Meeting of the Board of Trustees of the Village of Mundelein was held Monday, April 27, 2009 at 1000 North Midlothian Road, Mundelein. Jessica Marvin, Mayor for the Day, called the meeting to order at 7:03 p.m. with guidance from Mayor Kessler.

2960th Regular Meeting

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Deputy Clerk Flynn took the roll. It indicated these members present: Trustees Meier, Nutschig, Semple, Sullivan and Voss. Absent: Trustee Cancelli. Village attendance: Village Administrator Lobaito; Chief Rose, MPD; Chief Sashko, MFD; Director of Building Department Schubkegel; Finance Director Hatton; Village Engineer Emmerich; Public Works Director Miller; Director of Planning Barrera; and Attorney Marino.

Attendance

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Mayor for the Day Jessica Marvin led the Pledge of Allegiance.

Pledge of Allegiance

**Motion** by Sullivan, seconded by Nutschig, to approve the Minutes of the Regular Board Meeting of April 13, 2009. Upon roll call vote, the vote was as follows: Ayes: Sullivan, Nutschig, Semple, Meier and Voss; nays: none; absent and not voting: Cancelli. Motion carried.

Motion to approve minutes of the Regular Board Meeting of 4/13/09

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The meeting was opened to the floor for public commentary.

Floor Opened to Public

Mel Withrow, 600 McKinley Avenue, commented on the proposed landlord registration ordinance. He asked the Board to delay implementation because of the cost to landlords for compliance. This is not the time to impose additional expenses. He made the following points: Landlords conduct their own inspections on a regular basis; nothing in the ordinance prohibits the landlords from being fined for failures of the tenants; the codes to be used in the inspections are not referenced in the ordinance; too much is left to the judgment of the inspector; the landlords should have the option to go to the courts or to the Administrative Hearing Officer; and requiring telephone numbers and occupancy labels should be included in the lease, not posted in the apartment.

Proposed Landlord Ordinance Concerns

Mayor Kessler explained that an ad hoc committee will be formed which will include staff, landlords, and residents to consider all the issues related to this ordinance. Landlord registrations are common in other villages and have a valid public purpose. The Administrative Hearing Officer is not part of the ad hoc committee review.

Sharon Ptak, of Park Butterfield Apartments, voiced concern regarding the costs of compliance to the ordinance, and expressed her interest to be part of the ad hoc committee.

Kevin and Janine Walsh, 545 North Lake St., spoke in opposition of the landlord registration ordinance, particularly the inspection provisions, but supported the crime free lease addendum component.

Frank Bueno, 324 North Seymour, voiced opposition to the proposed ordinance.

Floor closed

No further comments were received. Public commentary was closed.

Mayor for the Day  
Introduced

Mayor Kessler formally introduced Jessica Nicole Marvin, Mayor for the Day, and explained how she was chosen for this position.

Mundelein MainStreet  
Report

Sybil Schechter-Kelly, President of Mundelein MainStreet, reported that MainStreet has completed another successful year, which included five Park-on-Park events, Santa's Cottage, Mundelein Community Days, and a golf outing. Plans for the upcoming year include quarterly luncheons with the business community and a street dance.

Trustee Voss asked about the organization's finances and commented that the \$25,000 included in the proposed budget may no longer be affordable. Terry Skirba, Director of Mundelein MainStreet, reported on the group's efforts to increase membership and fundraising support. Trustee Sullivan encouraged Ms. Skirba to take part in the Economic Development Commission meetings.

Motion to confirm  
Mayor's commission  
reappointments

**Motion** by Semple, seconded by Sullivan, to confirm the Mayor's commission reappointments for 2009. Upon roll call vote, the vote was as follows: Ayes: Semple, Sullivan, Nutschig, Meier and Voss; nays: none; absent and not voting: Cancelli. Motion carried.

Motorcycle Awareness  
& National Police  
Week Proclamations

Mayor Kessler drew the Board's attention to a Mayoral Proclamation Recognizing May as Motorcycle Awareness Month, and May 10-16, 2009 as National Police Week.

Resolution Canceling  
Village Board Meeting  
of 5/25/09

**Motion** by Semple, seconded by Meier, to adopt **A Resolution Canceling the Regular Village Board Meeting of May 25, 2009 (Resolution No. 09-04-27)**. Upon roll call vote, the vote was as follows: Ayes: Semple, Meier, Sullivan, Nutschig, and Voss; nays: none; absent and not voting: Cancelli. Motion carried.

Motion to approve  
payment to Mundelein  
MainStreet

**Motion** by Semple, seconded by Sullivan, to approve the payment to Mundelein MainStreet in the amount of \$25,000. Trustee Semple voiced his support for the MainStreet organization. Upon roll call vote, the vote was as follows: Ayes: Semple, Sullivan, Nutschig, Meier and Voss; nays: none; absent and not voting: Cancelli. Motion carried.

Motion to direct staff  
to prepare ordinance  
amending Ordinance  
No. 06-07-63

**Motion** by Voss, seconded by Semple, to direct staff to prepare an ordinance amending Ordinance No. 06-07-63 to amend the considered completion of the approval process. Director of Planning Barrera explained the purpose of the ordinance. Upon roll call vote, the vote was as follows: Ayes: Voss, Semple, Sullivan, Nutschig, and Meier; nays: none; absent and not voting: Cancelli. Motion carried.

Motorcycle Awareness  
Ride Participation

Mayor Kessler reported that he and nine other motorcycle riders participated in the motorcycle awareness ride on Sunday, April 26th.

Public Works Committee Chairman Semple announced that Spring Cleanup will be held the first two weeks in May.

Spring Cleanup Dates

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**Motion** by Sullivan, seconded by Nutschnig, to adopt the FYE 2010 Budget. Trustee Sullivan reported on the budget process. He recognized the difficulty in preparing this year's budget due to significant revenue shortfalls. Non-union employee raises were limited to 2%, with a 4% Police union increase. The budget includes a goal to reduce overtime by 25%, a hiring freeze, significant reduction in capital expenditures and contractual purchases. A water rate increase of 11.4% is included, and an increase in 9-1-1 revenues is anticipated. The total budget expenditures are \$42,561,000, which is 1.5% less than the prior year. Revenues are estimated at \$38,212,000. The difference in the shortfall will be funded through funds on hand. Upon roll call vote, the vote was as follows: Ayes: Sullivan, Nutschnig, Semple, Meier, Voss and Kessler; nays: none; absent and not voting: Cancelli. Motion carried.

Motion to adopt FYE 2010 Budget

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**Motion** by Meier, seconded by Sullivan, to approve the minutes of the April 6, 2009 Finance Committee meeting. Upon roll call vote, the vote was as follows: Ayes: Meier, Sullivan, Semple, Nutschnig, and Voss; nays: none; absent and not voting: Cancelli. Motion carried.

Motion to approve 4/6/09 Finance Committee minutes

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**Motion** by Sullivan, seconded by Meier, to approve the minutes of the April 13, 2009 Finance Committee meeting. Trustee Meier noted a correction to the minutes. Upon roll call vote, the vote was as follows: Ayes: Sullivan, Meier, Semple, Nutschnig, and Voss; nays: none; absent and not voting: Cancelli. Motion carried.

Motion to approve 4/13/09 Finance Committee minutes

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**Motion** by Sullivan, seconded by Voss, to approve the payment of bills, as indicated on Disbursements Pending Report dated 04/27/09 for AT&T and AT&T Mobility invoices totaling \$4,868.33. Trustee Meier stated due to a conflict of interest she would abstain from the motion. Upon roll call vote, the vote was as follows: Ayes: Sullivan, Voss, Semple, Nutschnig; abstain: Meier; nays: none; absent and not voting: Cancelli. Motion carried.

Motion to approve payment of bills for AT&T and AT&T Mobility

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**Motion** by Sullivan, seconded by Meier, to approve the payment of bill **paid under protest**, as indicated on Disbursements Pending Report dated 04/27/09 for North Shore Gas @ 165 N. Archer invoices totaling \$2,122.06. Upon roll call vote, the vote was as follows: Ayes: Sullivan, Meier, Semple, Nutschnig, and Voss; nays: none; absent and not voting: Cancelli. Motion carried.

Motion to approve payment of bill **paid under protest** for North Shore Gas

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**Motion** by Sullivan, seconded by Nutschnig, to approve the payment of bill **paid under protest**, as indicated on Disbursements Pending Report dated 04/27/09 for ComEd Street Lights invoices totaling \$10,201.10. Upon roll call vote, the vote was as follows: Ayes: Sullivan, Nutschnig, Meier, Semple, and Voss; nays: none; absent and not voting: Cancelli. Motion carried.

Motion to approve payment of bill **paid under protest** for ComEd street lights

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Motion to approve payment of bill to Motorola

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**Motion** by Sullivan, seconded by Meier, to approve the payment of bills, as indicated on Disbursements Pending Report dated 04/27/09 for Motorola invoices totaling \$527.16. Trustee Nutschnig stated due to a conflict of interest he would abstain from the motion. Upon roll call vote, the vote was as follows: Ayes: Sullivan, Meier, Voss, and Semple; abstain: Nutschnig; nays: none; absent and not voting: Cancelli. Motion carried.

Report on significant items on bill approval list

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Trustee Sullivan reported on the bills included in the bill approval list. Significant expenditures are for Kim Construction, Custom Signals, Patnick Construction, and Berger Roofing.

Police Committee Report

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Police Committee Vice Chairman Semple asked Police Chief Rose to comment on A-May-Zing Mundelein which will be held May 9, 2009.

Community Development Committee Report

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Community Development Committee Chairman Voss reminded the Village Board that Mundelein Little League is now underway which will mean increased traffic on Midlothian Road. Prom season is underway at Mundelein, Libertyville, Vernon Hills, Stevenson and Carmel High Schools.

Delivery of garbage & recycling bins begun

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Groot Industries began delivery of garbage and recycling bins. Trustee Voss reminded residents that bins stored outside in the side yard must be fenced or screened.

Motion to pass **Ord. Adopting the 2006 Int'l Buiding Code with Amendments (Ord. 09-04-24)**

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**Motion** by Nutschnig, seconded by Sullivan, to pass **An Ordinance Adopting the 2006 International Building Code with Amendments (Ordinance No. 09-04-24)**. Upon roll call vote, the vote was as follows: Ayes: Nutschnig, Sullivan, Meier, Voss, and Semple; nays: none; absent and not voting: Cancelli. Motion carried.

Motion to pass **Ord. Adopting the 2006 Int'l Fire Code with Amendments (Ord. 09-04-25)**

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**Motion** by Sullivan, seconded by Nutschnig, pass **An Ordinance Adopting the 2006 International Fire Code With Amendments (Ordinance No. 09-04-25)**. Upon roll call vote, the vote was as follows: Ayes: Sullivan, Nutschnig, Meier, Voss, and Semple; nays: none; absent and not voting: Cancelli. Motion carried.

ZBA Meeting called 5/11/09

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Trustee Nutschnig called a Zoning Board of Appeals meeting for May 11, 2009.

Fire Committee Report – Fundraising event at Baskin Robbins 4/29/09

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Fire Committee Chairman Meier reported that a fundraising event will be held at Baskin Robbins on April 29, 2009 from 5 to 10 p.m. The proceeds will benefit the fire truck restoration.

Report on Centennial Events

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Assistant Village Administrator Mike Flynn reported on various Centennial events.

Mayor Kessler presented the Omnibus Vote Agenda asking for any additions, deletions or corrections. There were no additions, deletions or corrections.

Omnibus Vote Agenda

Motion by Sullivan, seconded by Nutschnig to approve the following Omnibus Vote Agenda.

Motion to approve  
Omnibus Vote Agenda

1. **Motion to adopt A Resolution Authorizing the Reservation of the 2009 Volume Cap of the Village of Mundelein, Illinois for an Unspecified Project (Resolution No. 09-04-28).** (Omnibus Vote)
2. **Motion** to approve the Departmental Purchase Request in the amount of \$162,302.78 for SB Mundelein LLC for the payment of principal and interest for May 2009 on the Mundelein Crossing Economic Incentive Agreement approved with Ordinance 03-08-24 and Resolution 05-08-23. (Omnibus Vote)
3. **Motion** to approve Amendment No. 1 to the Engineering Services Agreement with SEC Group, Inc. for the design engineering of the Illinois Safe Routes to School improvements in an amount not to exceed \$4,553.06 and authorize the Mayor and Clerk to sign the Agreement. (Omnibus Vote)
4. **Motion** to approve the Local Agency Agreement Amendment #1 with the Illinois Department of Transportation for the Illinois Safe Routes to School Program and authorize the Mayor to sign the Agreement. (Omnibus Vote)
5. **Motion** to approve Amendment #2 in the amount of \$5,950.00 to Bonestroo's Engineering Design Agreement for the design of the FYE10 Street Improvement Project and authorize the Mayor's signature on the Amendment. (Omnibus Vote)
6. **Motion to pass An Ordinance Amending Ordinance No. 04-12-69, an Ordinance Regulating the Sale of Alcoholic Liquor in the Village of Mundelein, Illinois, to Eliminate the Class I Liquor License (Ordinance No. 09-04-26).** (Omnibus Vote)
7. **Motion to adopt An Ordinance Establishing Rates and Charges for Water Service and Sanitary Sewer Service in the Village of Mundelein, Lake County, Illinois (Ordinance No. 09-04-27)**for rate changes effective on bills issued beginning June 1, 2009. (Omnibus Vote)
8. **Motion** to ratify investment activity made by ING Investment Management between 5-1-08 and 4-16-09. (Omnibus Vote)
9. **Motion to pass An Ordinance Establishing the Appropriation Transfer of Funds for the Fiscal Year Ended April 30, 2009 (Ordinance No. 09-04-28).** (Omnibus Vote)

10. **Motion** to approve the payment of bills, as indicated in the Governing Body Report, for the period 04/14/09 through 04/27/09 in the amount of \$777,853.49. (Omnibus Vote)

Upon roll call vote, the vote was as follows: Ayes: Sullivan, Nutschnig, Meier, Voss, and Semple; nays: none; absent and not voting: Cancelli. Motion carried.

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Thanks extended for work  
on budget process

Administrator Lobaito thanked the department heads, especially Mary Hatton, for their work in the budget process.

Electronics collection  
begins May 1-October 31

Administrator Lobaito reported that electronics collection will begin May 1 and run through October 31.

Report on meeting  
regarding swine flu  
concerns

Administrator Lobaito reported on a recent meeting held with the Public Works, Fire and Police department heads regarding swine flu concerns. The Village is following the lead of the Lake County Health Department. The Health Department will set up a hotline soon to answer questions. There is no need for alarm. The Village is taking several pro-active steps to address concerns, including review of operational response plans, advising employees so that calls are routed efficiently, posting links to the Center for Disease Control website on the Village website, and working with school superintendents to distribute information. In the meantime, he recommended general hygiene with respect to washing hands, avoiding contact with infected individuals, and contacting your doctor at any sign of flu symptoms.

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Adjournment

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Motion by Nutschnig, seconded by Meier, to adjourn. Upon unanimous voice vote, the meeting was adjourned at 8:20 p.m.

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Deputy Village Clerk