

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD OCTOBER 2, 2007**

1. CALL TO ORDER

A regular meeting of the President and Board of Trustees of the Village of Lake Barrington was held at the Village Municipal Center, 23860 Old Barrington Road, on Tuesday, October 2, 2007, and was called to order by President Pro-tem Vonder Haar at 7:00 p.m. Village Clerk Hoover was appointed Recording Secretary.

2. ROLL CALL OF MEMBERS

Upon the roll being called, the following Trustees were physically present at said location: Trustees DeJesu, Raclaw, Schaller, Struck, and President Pro-Tem Trustee Vonder Haar.

Absent: President Richardson and Trustee Burke

The following Trustees were allowed by a majority of the members of the President and Board of Trustees in accordance with and to the extent allowed by rules adopted by the President and Board of Trustees to attend the meeting by video or audio conference: None.

No Trustee attended the meeting by video or audio conference.

The following Trustees were absent and did not participate in the meeting in any manner or to any extent whatsoever: None

Staff Present: Treasurer Purcell, Village Administrator Martin and Village Clerk Hoover

Others Present: ZBA Member Fortman, Village Attorney Bateman

3. PLEDGE OF ALLEGIANCE

4. CONSIDERATION OF MINUTES

A) September 4, 2007 Regular Board Meeting Minutes

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Raclaw to approve the minutes of the September 4, 2007 Regular Board Meeting. The voice vote was unanimous and the motion carried.

B) September 8, 2007 Special Board Meeting Minutes

Board Action

A motion was made by Trustee Schaller and seconded by Trustee DeJesu to approve the minutes of the September 8, 2007 Special Board Meeting. The voice vote was unanimous and the motion carried.

5. PRESIDENT'S REMARKS (President Richardson) – None.

6. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

(Also see public comment during agenda item 13A and 15.)

Mr. Michael Graft, President of Exclusive Land Development, addressed the Board relative to the Tallgrass Development construction schedule and landscaping plan. He stated that the plan calls for 800 trees and the developer has planted just under 1100 trees with another 150 to come. Mr. Graft stated that during the public process, the berm, landscaping, and vegetation were thoroughly discussed. He reported that due to the severe drought and heavy rains weedy

vegetation, such as ragweed and thistle, is visible. Mr. Graft stated that the developer plans to start the fall program to begin to remedy the situation including a new seed mix and tree replacements this fall continued into the spring. The implementation of the plantings may take 3 to 4 years to come to fruition.

Additionally, Mr. Graft spoke briefly for Michael Graft Builders regarding the Enclave of Heritage Estates and Tallgrass Subdivisions. Mr. Graft reported on the building contracts, model homes, and open houses. Mr. Graft responded to Trustee Struck's berm related question and Trustee Vonder Haar's erosion question.

7. **CONSENT AGENDA** – None.

8. **TREASURER'S REPORT:**

Treasurer Purcell gave the following report:

C) Financials Statements as of 08/31/2007: Treasurer Purcell reported on the General Fund, increased Revenues mainly because of the new Utility and Telecommunications Taxes, and Interest from earnings on Impact Fees and Performance Bonds. Treasurer Purcell reported that the MFT Fund has an equity balance of \$297,628 available for road work after making the final payment for the Wedgewood Subdivision road improvements. He stated that the Industrial Park's (SSA #3) financial position is improving after rates were increased last year.

D & E) Warrants: Both Warrants A & B were reviewed, appear in order, and should be approved for payment.

A) Estimate of Tax Levy: Treasurer Purcell stated that the Village expenses do not include debt service for the General Obligation debt. The actual levy will have this debt included.

Board Action

A motion was made by Trustee Raclaw and seconded by Trustee Struck to consider by ominous vote and:

- A. Pass Resolution No. 2007-R-23, a Resolution for the Estimate of the Amount of a Tax Levy in compliance with the requirements of the Truth in Taxation Act; and
- B. Approve Ordinance No. 2007-O-18, an Employee Compensation Ordinance; and
- C. Approve the Financial Statements as of 8/31/07; and
- D. Pay bills in the amount of \$189,532.51 as listed on Accounts Payable Warrant "A" dated October 2, 2007; and
- E. Pay bills in the amount of \$ 78,524.26 as listed on Accounts Payable Warrant "B" dated October 2, 2007;

Upon roll call the vote was:

Yeas: Trustees DeJesu, Raclaw, Struck, and President Pro-tem Vonder Haar
Nays: None
Abstain: None
Absent: President Richardson and Trustee Burke

President Richardson declared the motion carried.

9. **ADMINISTRATOR'S REPORT**

A. The Great Taste Fest and EXPO: Administrator Martin announced that the 4th Annual Great Taste Fest organized by the Barrington Chamber of Commerce would be held on October 11th at the Onion Pub Restaurant.

B. Park District Baseball field adjustment: Administrator Martin reported that the Park District is seeking to reposition the ball field due to the current grading and storm water flow.

Administrator Martin stated that their Special Use Permit would permit them to make these changes. The project would be funded by the Park District.

Mr. Graft, President of the Lake Barrington Countryside Park District, responded to Trustee DeJesu's question about the tennis court lighting. He stated that the lighting is turned on by a push button and stays on for one hour. The lighting is automatically turned off at 10:00 PM.

C. Other:

- 1) Administrator Martin stated that the Village President received correspondence from the Village of Tower Lakes requesting contributions for traffic control officers at North Barrington Schools, Route 59 & Grandview Drive. He stated that Tower Lakes was informed to send us a formal request and then the Board could consider an Intergovernmental Agreement.
- 2) Administrator Martin reported that the Farm Trails road work is basically completed and the ditch and drainage work and final surface remain outstanding for the Lakeland Estates road work. He stated that heating coils in a resident's driveway slowed down the process.
- 3) Administrator Martin distributed Gewalt-Hamilton's drainage study quote for proposed drainage improvements to the Lakeland Estates Subdivision in an amount not to exceed \$26,000 depending upon Cuba Township participation. As part of the project, Administrator Martin stated that he plans to hold a Special Meeting for the Lakeland Estates Homeowners Association regarding catch basins, removal of rocks in the right-of-way, and easements.

Board discussion followed pertaining to the intent of the study and work, preventative maintenance, current road and drainage conditions, and annexation in 1992.

Board Action

It was the consensus of the Board to accept Gewalt-Hamilton's Drainage Study in an amount not to exceed \$26,000 and ratify the acceptance at the Board's next regular meeting.

10. CLERK'S REPORT

- A. Open Burning Regulations (Oct. 1-May 31):** Clerk Hoover reported the open burning is permitted beginning October 1 through May 31st, between 9AM and 6PM only. The local fire department should be notified prior to setting fire. A proper fire extinguisher or garden hose should be available for immediate use and the fire should not be left unattended (*see more comments after 10 E2*).
- B. Office Closed, Monday, Oct. 8, Columbus Day:** Clerk Hoover announced that Village Hall would be closed on Monday, October 8th in observance of Columbus Day.
- C. Clerk Training Completion:** Clerk Hoover reported that she recently attended year three of Clerk's Institute Training offered by the University of Illinois and the Municipal Clerks of Illinois in Springfield. She thanked the Board for this continuing education opportunity.
- E. Other:**
 - 1) Halloween Trick-or-Treating is permitted in the Village of Lake Barrington between the hours of 3PM and 7PM on October 31st.
 - 2) Cuba Township is hosting their 7th annual Fall Festival this Saturday, October 6th from noon to 4PM. In addition to the family activities and live music, voter registration will be available and donations will be accepted for the Food Pantry.

10A. Open Burning (continued): Trustee DeJesu emphasized that open burning must be extinguished by 6:00 P.M. and residents should call the Fire Department to report complaints. Trustee DeJesu asked that the regulations be included in the next Village newsletter and incorporated Lake County's email suggestions.

11. REPORTS OF STANDING COMMITTEES/TASK FORCES

Trustee Struck reported that he has been working on the Board, ZBA, and Plan Commission responses to the September 8th Action Plan meeting. He will be setting up a meeting with the Village Administrator to review the report.

- A. Building & Facilities:** Administrator Martin reported that there was a burglary attempt on Village Hall and the offices have been on lock-down mode for the past three weeks.
- B. Environmental Protection:** Trustee DeJesu reported that she attended a tour with Patsy Mortimer of Citizens for Conservation last week of a damn that was reverted back into a creek in Kane County. She compared the project to the problems with Flint Lake which used to be Flint Creek. Trustee DeJesu reported that she would be attending a summit later this week.
- C. Finance & Human Resources:** No report.
- D. Good Shepherd Hospital Liaison & Community Outreach:** No report.
- E. Intergovernmental Affairs & BACOG:** No report.
- F. Public Safety & Emergency Planning:** No report.
- G. Public Works:** No report.
- H. Rules:** No report.
- I. Stormwater Management:** No report.
- J. SWALCO:** No report.

12. OLD BUSINESS – None.

13. ORDINANCES

A. CONSIDERATION OF SPECIAL USE PERMIT- PROFESSIONAL BASEBALL INSTRUCTION

Administrator Martin distributed the following summary to the Board in their packets: On September 13, the Plan Commission held a Public Hearing regarding a proposed Special Use Permit for the operation of a baseball training school at 22272 N. Pepper Road. The Commission was unanimous in recommending approval of the Special Use Permit.

Mr. Martin stated that the business has been operational for the past eight months without incident (i.e. no noise or parking complaints).

Public Comment

Mr. David Trautwein, Director and Owner of Professional Baseball Instruction of Illinois, stated that his business is temporarily occupying Unit E at 22272 N. Pepper Road, a 5,000 square foot space, until the NorthPointe Development building is completed.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Schaller and seconded by Trustee Raclaw to pass Ordinance No. 2007-O-19, an Ordinance a Special Use Ordinance for Professional Baseball Instruction of Illinois (PBI), 22272 N. Pepper Road.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Raclaw, Schaller, Struck, and President Pro-tem Vonder Haar
Nays: None
Abstain: None
Absent: President Richardson and Trustee Burke

The motion carried.

B. CONSIDERATION OF AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES

Administrator Martin distributed the following summary to the Board in their packets: Two public hearings were held by the Plan Commission to discuss various amendments to the Lake Barrington Zoning and Subdivision Ordinances. The Commission unanimously recommended approval of the amendments at its meeting on September 13. The amendments focus on two areas; technical amendments i.e. definitions and character based amendments such as berm heights, outside storage and setback requirements in the commercial park.

Discussion

Administrator Martin stated that one of the objectives in the Comprehensive Plan was to review the Zoning Code as needed to comply with new legislation and to maintain the character of the community. He stated that the Village Attorney, Cuba Township, the Plan Commission, and he reviewed the Codes. Administrator Martin reported that there are over one hundred proposed amendments, mostly technicalities and definitions. He stated that one of the more important issues addresses setbacks in Industrial Park, "M" and "O" Zoning Districts. Administrator Martin explained that the parking, fencing, and storage areas were unclear in the Ordinance. He stated that the revision includes a no-build zone. Other key changes include auto uses changed to a special use. Discussion followed pertaining to existing buildings being "grand-fathered" unless there are major renovations, additions, new development, or re-development on said property. The current auto businesses would now be considered a "legal, non-conforming use". Administrator Martin stated that the revision also includes the use of native landscaping and road-way shoulders for new developments.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Struck and seconded by Trustee Raclaw to pass Ordinance No. 2007-O-20, an Ordinance amending the Lake Barrington Municipal Code and Zoning Ordinance.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Raclaw, Schaller, Struck, and President Pro-tem Vonder Haar
Nays: None
Abstain: None
Absent: President Richardson and Trustee Burke

The motion carried.

14. NEW BUSINESS

A. CONSIDERATION OF A RESOLUTION ESTABLISHING TRICK OR TREAT HOURS

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: The Village adopts the Halloween Trick or Treating Hours each

year in accordance with the BACOG area hours. This year, Trick or Treating is permitted on Wednesday, October 31st from 3 pm to 7 pm.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee DeJesu and seconded by Trustee Struck to pass Resolution No. 2007-R-24, a Resolution regarding Trick or Treat Hours in the Village of Lake Barrington. The voice vote was unanimous and the motion carried.

B. CONSIDERATION OF LANDSCAPING QUOTE – FARM TRAILS

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: As part of the 2007 and future road programs, staff requests that HOA's submit quotes for beautification of subdivision entryways. The attached quote is for the Farm Trails Subdivision entrance right-of-way as part of the road rehabilitation project. It will be maintained by the HOA. Funds are budgeted as part of the road project.

Discussion

Administrator Martin stated that the landscaping entryway program encourages involvement with the homeowners associations to beautify entryways in the Village right-of-way as part of the Roads Program. The goal is to have more attractive landscaping.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee DeJesu and seconded by Trustee Struck to approve the quote from Doering Landscape in an amount not to exceed \$4,000.00 landscape improvements in the right-of-way on Cayuga Trail.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Raclaw, Schaller, Struck, and President Pro-tem Vonder Haar
Nays: None
Abstain: None
Absent: President Richardson and Trustee Burke

The motion carried.

C. CONSIDERATION OF FREIER FARM QUOTES

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: Since the Village's purchase of the Freier Farm in September 2007, staff has requested quotes for improvements to the grounds and buildings. The following quotes require Village Board approval. All of the contractors have worked with the Village in the past and the pricing has been found to be competitive. Quotes are within budget and all expenses are paid through the bond proceeds and will not impact the General Fund. Staff will seek to recoup rehabilitation costs via the lease of the farm house.

Discussion

Administrator Martin suggested that the sign be reviewed to read "preserved by" in lieu of "purchased by". He stated that the electrical contactor has been used by the Village Hall in the past for in-house projects. The status of renting the home, barn use, and fencing were briefly discussed.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Raclaw and seconded by Trustee DeJesu to waive public bidding and approve and accept the following quotes for Freier Farm improvements:

- 1) \$3,514 signage quote submitted by TG Signs
- 2) \$12,289.98 electrical quote submitted by North Suburban Electric

3) \$6,160 plumbing quote submitted by Prime Plumbing.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Raclaw, Schaller, Struck, and President Pro-tem Vonder Haar
Nays: None
Abstain: None
Absent: President Richardson and Trustee Burke

The motion carried.

D. CONSIDERATION OF A RESOLUTION APPROVING THE EXECUTION OF AN "AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT FOR COOPERATIVE ROAD PROGRAM ADMINISTRATION, ROADSIDE MAINTENANCE, SNOW AND ICE CONTROL, AND OTHER SERVICES"

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: The proposed amendment to the intergovernmental agreement between the Village and the Cuba Township Highway Department is to allow for Township use of the large storage shed on the Freier Farm. The Township will store off-season equipment in the shed and in exchange, provide general maintenance services on the property and importantly be a presence to discourage trespassing and vandalism. Materials are provided in board folder see Section 3E.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Schaller and seconded by Trustee Raclaw to pass Resolution No. 2007-R-25, A Resolution Approving And Authorizing The Execution Of An "Amended And Restated Intergovernmental Agreement For Cooperative Road Program Administration, Roadside Maintenance, Snow And Ice Control, And Other Services.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Raclaw, Schaller, Struck, and President Pro-tem Vonder Haar
Nays: None
Abstain: None
Absent: President Richardson and Trustee Burke

The motion carried.

15. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD** – None (see agenda items 6 and 13A),
16. **CLOSED SESSION** – None.
17. **ACTION TO BE TAKEN FROM CLOSED SESSION** – None.
18. **OTHER:**
19. **ADJOURNMENT:** A motion was made by Trustee Schaller and seconded by Trustee Raclaw to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 8:14 p.m.

Respectfully submitted,

Cynthia L. Hoover
Village Clerk
Recording Secretary