

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD JULY 1, 2008**

1. CALL TO ORDER

A regular meeting of the Board of Trustees of the Village of Lake Barrington was held at the Village Municipal Center, 23860 Old Barrington Road, on Tuesday, July 1, 2008, and was called to order by President Pro Tem Vonder Haar at 7:00 p.m. Loretta Peterson was appointed Recording Secretary.

2. ROLL CALL

Upon the roll being called, the following Trustees were physically present at said location: Trustees Vonder Haar, Burke, DeJesu, Raclaw, Schaller, and Struck.

Absent: Village President Richardson

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, Village Clerk Peterson

Others Present: ZBA Member Fortman, Village Attorney Bateman

3. PLEDGE OF ALLEGIANCE

4. CONSIDERATION OF MINUTES

A. Minutes of the Regular Meeting Held June 9, 2008

Board Action

A motion was made by Trustee Schaller and seconded by Trustee DeJesu to approve the minutes, item 4 A above. The voice vote was unanimous and the motion carried.

5. PRESIDENT'S REMARKS

Mr. Martin presented items 5A and 5B on behalf of President Richardson.

A. Clerk Appointment

Mr. Martin introduced Loretta Peterson and administered the Official Oath of Office for Village Clerk.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Raclaw to approve by omnibus vote and appoint Loretta Peterson as Village Clerk and pass Ordinance No. 2008-O-22, an employee compensation Ordinance.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, and Vonder Haar.
Nays: None
Abstain: None
Absent: President Richardson

Motion carried.

B. Recognition of Former Officials

Mr. Martin stated Hoover's resolution was tabled for corrections to the resolution. He commended Adolph Danta for his service to the village and read the Resolution.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Burke to pass Resolution No. 2008-R-21, a resolution recognizing Adolph Danta for his service to the Village.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, and Vonder Haar.
Nays: None
Abstain: None
Absent: President Richardson

Motion carried.

C. Other: None

6. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD**

Michael Danforth, Attorney for D S Arms and resident of Fox River Grove expressed his concerns regarding the protests against his client's company by Operation Rainbow Push and their efforts to close the business. He also addressed his concerns regarding the hiring of two public relations firms by the village and the process taken to enter into the contracts with said firms.

Attorney Bateman stated the contracts were approved at duly called, publically-noticed meetings and the items were considered in open meetings. Administrator Martin reviewed the process. He explained the services the firms performed, preparation for the marches and the Village's efforts to preserve 1st Amendment rights while protecting D S Arms right to conduct business in the Village.

Trustee Struck indicated the Board had extensive debate regarding the hiring of the public relations firms. Trustee DeJesu stated she recognizes D S Arms is running a legal business and that there is no intent to remove or close the business. Trustee Schaller affirmed Trustee DeJesu's comments. Trustee Burke asked Danforth what the company wanted.

Danforth expressed concern that D S Arms was not contacted prior to the events. Mr. Martin and Bateman stated they contacted the firm and Danforth prior to both events.

Dave Selvaggio, President, D S Arms highlighted the company's background, contributions to the economic development in the area and the state, and he noted the company's 25 employees were in the audience. D S Arms is going to approach the village for expansion to include a law enforcement training range. He requested copies of any reports that were provided to the village by the public relation firms and expressed concern that the village would pass zoning changes to remove the business based on meeting minutes. Trustee DeJesu reiterated the Village is not seeking to remove the business and explained the Village discussed zoning, but that the context of the discussion was not regarding closing the business.

7. CONSENT AGENDA

- A. BACOA donation for FY 2008-2009 increased from \$750 to \$5,000 following direction by Board subsequent to a discussion and presentation by BACOA representatives at the previous meeting.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee DeJesu to approve the Consent Agenda.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, and Vonder Haar.
Nays: None
Abstain: None
Absent: President Richardson

Motion carried.

8. TREASURER'S REPORT (Treasurer Purcell)

Treasurer Purcell reported on the following:

- A. Unaudited Financial Statements as of May 31, 2008 noting this is the first month of Fiscal Year 2009:
B-D. The Accounts Payable Warrants have been reviewed and should be approved.

Board Action

A motion was made by Trustee Raclaw and seconded by Trustee DeJesu to approve items 8 A-D above.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, and Vonder Haar.
Nays: None
Abstain: None
Absent: President Richardson

Motion carried.

9. ADMINISTRATOR'S REPORT

Mr. Martin reported on the following:

- A. Lakeland Estates Roadwork Update: Mr. Martin noted that work was proceeding on drainage and curbing and that the project was on-time and on budget.
- B. Mosquito Abatement : Mr. Martin reported Clarke's Mosquito is spraying once a week on Fridays until the end of the summer. There have been no reported cases of West Nile virus cases this summer season in Lake County.
- C. Economic Development and Branding Report. Martin highlighted progress on the Northpointe construction.
- D. Other: None

10. CLERK'S REPORT

Newly-appointed Village Clerk Peterson thanked the board for the opportunity to work for the Village of Lake Barrington. She is looking forward to serving the community.

11. COMMITTEE REPORTS

- A. Community Development (Chair Raclaw) – No report.
- B. Finance & Human Resources (Chair Vonder Haar) No report. Martin indicated personnel matters will be discussed in tonight's Executive Session.
- C. Intergovernmental Affairs (Chair Richardson) – Absent; no report. Attorney Bateman reported the rail rally held in the Village of Barrington was well attended and that people were being encouraged to contact their U.S. Congressional representatives with their concerns. There is pending federal legislation designating the EJ&E corridor as a commuter rail line.
- D. Natural Resources (Chair DeJesu) – Trustee DeJesu reported the village is acquiring signs for the new trees in the Arboretum that would provide the name and background information about each tree. She stated she hopes to add trees next spring.
- E. Public Safety (Chair Schaller) – Trustee Schaller reported on the Fox River flooding. Martin mentioned there was one reported flooded basement from the flooding.
- F. Public Works (Chair Vonder Haar): Trustee Vonder Haar reported a new driveway was installed at Freier Farm by the Cuba Township Highway Department. Martin noted a split rail fence was installed along the edge of the village parking lot and park to increase safety and to reduce destruction of the grass.
- G. Rules (Chair Schaller) - No report
- H. Other - CN Railway Report (Trustee Raclaw) Trustee Raclaw highlighted more information regarding U.S. Congressman Peter Roskam's legislation to designate the EJ&E rail corridor for commuter rail, in particular the Star Line, which would connect approximately 100 towns by rail. The Surface Transportation Board will be releasing its draft Environmental Impact Statement by the end of the summer. A decision on the acquisition is expected by the end of the year.

12. OLD BUSINESS – None.

13. ORDINANCES

A. CONSIDERATION OF A DESIGN STANDARDS ORDINANCE

Mr. Martin reported that at the request of the Plan Commission, and pursuant to the Village's Comprehensive Plan Objectives, staff and the Village Attorney have prepared a design and landscape standards ordinance which was recommended for

approval by the Plan Commission. The review process included two public hearings. He highlighted the purpose and benefits of the Design Standards Ordinance and gave a slide presentation showing pictures of examples of proposed standards.

Trustees noted that proposed standards would improve the appearance and value of properties within the business park and thanked the Plan Commission and staff for the work on this project.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Raclaw to pass Ordinance No. 2008-O-23, an Ordinance amending Title 8 of the Village of Lake Barrington Village Code (RE: New Section 8-4-9: "Design Standards in M, B and O Districts")

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, and Vonder Haar.
Nays: None
Abstain: None
Absent: President Richardson

Motion carried.

B. CONSIDERATION OF ALICE LANE TRUCK WEIGHT LIMIT

Mr. Martin reported staff has received numerous complaints about commercial truck traffic along Alice Lane. Attorney Bateman has prepared a draft Ordinance adding Alice Lane to the list of streets where maximum weight limitations are imposed. Materials were provided in the Board folder. Martin confirmed the ordinance applies to Alice Lane and Anderson Road.

Board Action

A motion was made by Trustee Struck and seconded by Trustee Burke to pass Motion to pass Ordinance No. 2008-O-24, an Ordinance amending Section 5-6-1 of the Village Code regarding weight restrictions on Alice Lane.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, and Vonder Haar.
Nays: None
Abstain: None
Absent: President Richardson

Motion carried.

14. NEW BUSINESS

A. CONSIDERATION OF OUTDOOR MUSIC: KELSEY ROADHOUSE

Mr. Martin reported the Kelsey Roadhouse (KRH) submitted a request for outdoor entertainment on their premises at 352 Kelsey Road weekly during the summer

season on Wednesday, Friday, Saturday and Sunday. The request is similar to the previous request by the Onion Pub which is currently providing outdoor music. Materials were provided in the Board folder.

Trustee Vonder Haar noted improvements at the establishment and questioned their request to provide outdoor entertainment until 2 a.m. compared to the Onion Pub's request. Trustee DeJesu noted her concern for neighboring residents. Struck explained the impetus for the request was noise complaints received when KRH provided outdoor live music last month.

Discussion was held on appropriate hours and term of the temporary license. Attorney Bateman advised the board grant a permit based on the Class F outdoor liquor license pursuant to the ordinance.

Board Action

A motion was made by Trustee Raclaw and seconded by Trustee Struck to approve a temporary outdoor entertainment permit to the Kelsey Roadhouse to provide live music outdoors on Wednesday, Friday, Saturday and Sunday in compliance with the Class F outdoor liquor license pursuant to the ordinance through the end of July 2008 with the board to consider an extension at its August meeting.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, and Vonder Haar.

Nays: None

Abstain: None

Absent: President Richardson

Motion carried.

B. CONSIDERATION OF A LETTER OF CREDIT EXTENSION: WALNUT GROVE

Mr. Martin reported the existing Letter of Credit for the Walnut Grove Subdivision is set to expire on August 3rd. Staff recommends extending this performance guarantee for another year. Materials were provided in the Board folder.

Board Action

A motion was made by Trustee Struck and seconded by Trustee Raclaw to pass Resolution No. 2008-R- 22, a Resolution extending a Letter of Credit RE: Walnut Grove Subdivision

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, and Vonder Haar.

Nays: None

Abstain: None

Absent: President Richardson

Motion carried.

15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

None

16. CLOSED SESSION

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Raclaw to provide That A Portion of The Meeting Be Closed To The Public, Effective Immediately, To Discuss Matters of Personnel, and/Or To Discuss Possible Real Estate Acquisitions, and/Or To Discuss Litigation Involving an Action Against This Municipality Which Is Pending in Court Or in an Administrative Tribunal, and/Or To Discuss Such Litigation Which Is Probable Or Imminent, the Board finding that Based Upon Advice of Counsel, Litigation is Probable or Imminent as to those Matters so Identified on the Record in *Such Closed Session for the Reasons therein Stated*

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, and Vonder Haar.
Nays: None
Abstain: None
Absent: President Richardson

Motion carried. Open session adjourned to a break and closed session at 8:45 p.m.

The Board reconvened at 9:36 p.m. with all members present as the original Roll Call.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

A. CONSIDERATION OF A RESOLUTION REGARDING CLOSED SESSION MINUTES

The Village of Lake Barrington is mandated by law to semi-annually review closed session minutes. Audio tapes older than 18 months may be destroyed upon Resolution. Attorney Bateman indicated a need for confidentiality still exists and recommended the closed session minutes not be released.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Raclaw to pass Resolution No. 2008-R-23, a Resolution regarding the release of closed session minutes. The voice vote was unanimous and the motion carried.

18. OTHER

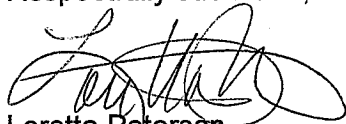
A. LETTER FROM RESIDENT, ROBERTA SCHLEIFER

A letter from resident Roberta Schleifer, 182 River Road, was distributed prior to the meeting. A brief discussion was held regarding mosquito abatement spraying from the subject's driveway which has an easement providing access to three other homes along with the mowing of County right-of-way. Mr. Martin noted for the Board that River Road was under the jurisdiction of Lake County and was maintained pursuant to their polices and procedures. He also reported that the Village discontinued spraying services on Ms. Scheilfer private driveway as such service was inconsistent with the Village's abatement contract and not being provided to any other resident in the community. After discussion the board agreed that mowing of County right of way was not under the Village's jurisdiction. The Board also agreed that the section of roadway off of River Road may be subject to abatement services if found to be accessible by Clarke Mosquito.

19. ADJOURNMENT

A motion was made by Trustee Schaller and seconded by Trustee DeJesu to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 9:45 p.m.

Respectfully submitted,



Loretta Peterson
Village Clerk
Recording Secretary