

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD JUNE 2, 2010**

Approved

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 Wednesday, June 2, 2010, and was called to order by President Richardson at 7:08 p.m. Village Clerk Peterson was appointed Recording Secretary.

2. ROLL CALL OF MEMBERS

Upon the roll being called, the following Trustees were physically present at said location: Trustees Burke, DeJesu, Mitchell, Schofield, Schaller, and President Richardson

Absent: Trustee Raclaw

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: Trustee Raclaw

Staff Present: Village Administrator Martin, Village Accountant Vernon, and Village Clerk Peterson

Others Present: Village Attorney Bateman and Zoning Board Member Fortman

3. PLEDGE OF ALLEGIANCE

4. CONSIDERATION OF MINUTES

A. Minutes of the Regular Meeting Held May 4, 2010

Board Action

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

5. PRESIDENT'S REMARKS (President Richardson)

President Richardson indicated the meeting would be heard out of sequence tonight.

6. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

Bob Bilocerokowycz, Farm Trails resident, stated the subdivision submitted a petition to Board members prior to the meeting, thanked President Richardson and Trustees Mitchell and Burke for attending a meeting with Farm Trails homeowners regarding infrastructure issues, introduced the Board to homeowner's association members in attendance, and summarized drainage problems experienced by several homeowners.

Ann Fields, Farm Trails resident, explained the issues she and her neighbor are experiencing during heavy rainfalls.

Ed Mosteig, Farm Trails resident, explained the drainage issues he is experiencing during rainfalls and commented on the need to fix the roads in Farm Trails.

Linda Bilocerokowycz, Farm Trails resident, commented on how drainage issues should be handled by the Village like stormwater management systems and noted the lack of special service areas to address these types of issues.

President Richardson received confirmation from Mr. Bilocerokowycz that the residents don't necessarily object to open space, but they want their drainage fixed; and he commented on the opportunity to address the infrastructure issues if the Board decides to borrow or reprogram the Open Space funds.

Trustee Schofield stated the Village should alleviate the problems with flooding if it can be done.

Trustee Mitchell thanked the Farm Trails residents for discussing the issues with him.

Bob Bilocerokowycz, Farm Trails resident, further commented that drainage is an ongoing issue in the subdivision and concluded with drainage should be the first priority, because the drainage issues cause damage to homes.

7. CONSENT AGENDA

A. Approve Resolution No. 2010-R-11, a Resolution regarding Prevailing Wage Rates

Board Action

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

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Mitchell, Schaller, Schofield, and President Richardson
Nays: None
Abstain: None
Absent: Trustee Raclaw

President Richardson declared the motion carried.

8. TREASURER'S REPORT:

Ms. Vernon reported on the following:

A. The financial report for the 12 months ending April 30, 2010 is marked preliminary, because adjustments will be made as the accounts are reconciled for year-end including the final state revenue distribution numbers that are anticipated from the state in the next few weeks. The final year-end statements will be prepared prior to the July audit.

She reviewed the flash report, balance sheet and general fund noting total revenues decreased from last year by 15% primarily due to the decrease in state shared revenues. Other revenues were also affected by the down economy. The Village is closely monitoring expenses which decreased 7% from the previous year.

She opened the review of the actual to budget report for the general fund by explaining in order to get a more detailed analysis it is best to compare the actual results to the annual budget to eliminate extraordinary revenues or expenses from past years. Preliminary results show total revenues at 95% of the budget and total expenses at 84% of the budget.

Ms. Vernon reported on other funds noting: the Motor Fuel Tax fund will be used for replacement of the Woodland Bridge; the actual revenues for the Water/Sewer Fund were at

109% of budget and the expenses at 95%; and the properties purchased with the Open Space Fund are reflected on the balance sheet as fixed assets.

B-C. The Accounts Payable Warrants have been reviewed and should be approved.

Board Action (A-C)

A motion was made by Trustee Mitchell and seconded by Trustee Burke to consider by omnibus vote and:

- A. Approve the Financial Statements as of 4/30/10.
- B. Pay Bills in the amount of \$ 161,845.67 as Listed on the Accounts Payable Warrant "A" Dated June 2, 2010.
- C. Pay Bills in the amount of \$ 36,652.57 as Listed on the Accounts Payable Warrant "B" Dated June 2, 2010.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Mitchell, Schaller, Schofield, and President Richardson
Nays: None
Abstain: None
Absent: Trustee Raclaw

President Richardson declared the motion carried.

9. ADMINISTRATOR'S REPORT

Mr. Martin reported on the following:

- A. Freier Farm Barn Stomp #2: The planning group decided they would like to have a smaller scale event on or about October 9. Mr. Martin reviewed equipment needs and a probable budget noting people would be charged for food and equipment might be borrowed to reduce costs.
- B. Road and Drainage Work Update: The Pepper Road and Rt. 14 project is on schedule. The Cherokee Lane drainage project is completed and work has begun on the Mercy Medical drainage work. The Lake County Department of Transportation resurfacing projects on Kelsey Road south of Linden and on River Road are on schedule. President Richardson thanked Lake County Board Member Steve Mountsier for his work.

10. CLERK'S REPORT

Ms. Peterson reported on the following:

- A. *A Workshop for Homeowners Associations: Maintenance for Subdivision Drainage Systems – Lake County Stormwater Management Commission*

Trustee Burke recommended this workshop and explained homeowners associations have some responsibility to care for their stormwater detention areas. He mentioned his homeowners association has a capital fund for maintenance of their detention ponds.

Trustees Burke and DeJesu further advised residents about caring for drainage culverts and ponds.

- B. June is Leave No Child Inside Month: Activities and the LNCI Consortium website were highlighted.
- C. Other: None.

11. REPORTS OF STANDING COMMITTEES

- A. Communications and Community Relations (C. Mitchell): No report.
- B. Environment & Open Space (L. DeJesu): No report.
- C. Finance, Human Resources and Economic Development (D. Raclaw): No report.
- D. Gated Communities (J. Schaller): No report.
- E. Intergovernmental & External Relations (K. Richardson): President Richardson is planning to go to Springfield to encourage prioritization of the Village's projects up the payment list. He also noted he is attending the U.S. Conference of Mayors, at his expense, and he mentioned the sessions he plans on attending.
- F. Public Safety (J. Schaller): No report.
- G. Roads and Infrastructure (A. Burke): Trustee Burke indicated the items were discussed earlier in the meeting.
- H. Village Hall and Grounds (C Schofield): No report.

12. OLD BUSINESS-None

13. ORDINANCES

A. CONSIDERATION OF AN ORDINANCE APPROVING A SUBDIVISION OF THE SWISS AUTOMATION AND GROSVENOR PROPERTIES

The following summary was provided with the Board folder: *This petitioner previously appeared before the Board requesting approval of a rezoning and planned unit development (PUD) for the property located at 22044 Pepper Road from the R-5 Single Family District to the M Manufacturing zoning district. That petition was approved by the Village Board in May of 2009.*

The petitioner is now proposing to re-subdivide this property in combination with 28400 a/k/a 1020 Northwest Highway (Swiss Automation). The purpose of this change is: 1) to expand the Swiss Automation building to the north and east (across the existing lot line), 2) to create a new lot on Pepper Road for the development of a multi-tenant building suitable for retail frontage, and 3) to create a driveway connection from Route 14 to Pepper Road.

The Plan Commission after two public hearings voted unanimously, to recommend approval of the subdivision. Materials are provided in the Board folder.

Mr. Bateman noted a revision to the Ordinance that was requested by the petitioner's attorney.

Bob Podgorski of Kelgor Construction Services reviewed the history of the project, explained the reasons for resubdivision, and stated the addition will be completed prior to the commercial strip center.

Board Discussion

Upon Board member's inquiries, Mr. Podgorski confirmed details about the plans for the detention pond, building material, and size of the project. Stephen Yost, attorney for the petitioner, indicated the ability to obtain financing was part of the decision for the resubdivision.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Mitchell to pass Ordinance No. 2010-O-10, An Ordinance Amending Village of Lake Barrington Ordinance No. 2009-O-06, An Ordinance Granting Rezoning and Approval of a Special Use Permit for

a Business Mixed Use Planned Unit Development (re: KVM Development, LLC Business Planned Unit Development at 22044 N. Pepper Road and 28400 (a/k/a 1020) W. Northwest Highway)

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Mitchell, Schaller, Schofield, and President Richardson
Nays: None
Abstain: None
Absent: Trustee Raclaw

President Richardson declared the motion carried.

14. NEW BUSINESS

A. CONSIDERATION OF A CLASS K LIQUOR LICENSE – UNITED SPORTS ORGANIZATIONS OF BARRINGTON, INC.

The following summary was provided with the Board folder: *This item was deferred from the May 4, 2010. United Sports Organizations of Barrington, Inc. is requesting a Class K special temporary liquor license for a festival that is being held in conjunction with the Chicago Junior World Cup. The event is to be held at the Lake Barrington Field House on June 18-20. Materials are provided in the Board folder.*

Tom Laue and Dave Roesch were in attendance on behalf of the Lake Barrington Field House. Mr. Laue distributed the revised event site plan.

Board Discussion

Upon inquiry, Mr. Laue confirmed the management company received permission to serve alcohol on the premises from the organization that owns the facility, that the alcohol is being served at the outdoor festival in front of the building and the youth tournament is inside. He said staff would be diligent in keeping children outside of the drinking area. Several trustees expressed support for the event.

Board Action

A motion was made by Trustee Schofield and seconded by Trustee Schaller to issue a Class K Liquor License to the United Sports Organizations of Barrington, Inc. for the festival being held at the Lake Barrington Field House on June 18-20.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Mitchell, Schaller, Schofield, and President Richardson
Nays: None
Abstain: None
Absent: Trustee Raclaw

President Richardson declared the motion carried.

B. RESIDENT SURVEY REPORT - OPEN SPACE FUND USE

The following summary was provided with the Board folder: *The Village Board in recognizing the success of the open space program via the Village and Lake County Forest Preserve, requested a community survey relative to the use of the remaining open space funds. Residents were provided three options as follows:*

- **Continue** to dedicate all of the remaining Open Space bond funds to the purchase of additional land for open space.

- **Reprogram** Open Space bond funds as needed over the next several years to finance capital projects within the community.
- **Borrow** funds from the Open Space bond fund to finance capital projects within the community over the next several years and continue to purchase open space in the future as funds become available.

The survey, consisting of a narrative and tear off postage paid postcard, was mailed out on May 7 to approximately 2,200 households. Return was requested by May 25. The survey results as of May 28 are provided in the Board folder.

Mr. Martin displayed the results of the survey reporting there was a virtual tie between the options for continuing with the open space program and reprogramming the funds. He asked the Board for direction.

President Richardson commented on how the language was developed for the letter and survey choices. He addressed several of the comments that were returned with the reply cards.

Board Discussion

Board members were individually polled for comments which included no new or additional funds would be borrowed; the results for the borrow and reprogram options, which both support infrastructure projects, total over 60% of the total replies indicating the majority of people support addressing roads and infrastructure; there is limited land available for open space; that consideration will be given for the split in the results and the implications of choosing certain options; a collaborative process was used to put the survey together; the security of using the postcard mailer as a method for surveying residents; and the opportunity there is to balance infrastructure and open space; and gratitude to the residents who participated.

Discussion was held on the wording of the borrowing option while reiterating the Village is proposing borrowing from existing funds the Village has in the Open Space Bond fund and that the Board is not proposing borrowing new or additional funds. Discussion was held on splitting the remaining funds between the options.

President Richardson explained the appropriations process for a municipality.

Mr. Bateman further explained the appropriation ordinance is the legal decision for the Village's budget that has to be adopted next month and that the Village has the ability to look at the survey results and divide the funds in different ways based on those results.

Mr. Martin thanked residents for their participation and invited further comments from them. He stated he will check with Board members for further comments and come back with a recommendation next month.

Board Action

The Board came to a consensus to accept the survey results and directed Mr. Martin to proceed with a recommendation to be brought to be Board at next month's meeting.

C. CONSIDERATION OF A CABLE TELEVISION FRANCHISE AGREEMENT – COMCAST OF ILLINOIS/WEST VIRGINIA, LLC.

The following summary was provided with the Board folder: *The Village's cable franchise with Comcast has expired and must be renewed. The attached renewal*

provides only minor adjustments and is modeled off of the agreement approved by close to one hundred municipalities. Materials are provided in the Board folder.

Mr. Martin reported Mr. Bateman reviewed and revised Comcast's franchise agreement. He explained the Village does not enter into a franchise agreement with AT&T, because that company has a state-wide franchise agreement.

Chris Nelson, Manager of Government Affairs for Comcast, was in attendance and spoke about Comcast's transition to digital broadcasting and said LBS will see improvements with its cable and internet service when the transition is completed.

Board Action

A motion was made by Trustee Mitchell and seconded by Trustee DeJesu to authorize the Village Administrator to enter into a Cable Television franchise Agreement By and Between the Village of Lake Barrington and Comcast of Illinois/West Virginia, LLC.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Mitchell, Schaller, Schofield, and President Richardson
Nays: None
Abstain: None
Absent: Trustee Raclaw

President Richardson declared the motion carried.

15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

None

16. CLOSED SESSION

Board Action

At approximately 8:33 p.m., a motion was made by Trustee Schofield and seconded by Trustee Schaller 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, Mitchell, Schaller, Schofield, and President Richardson
Nays: None
Abstain: None
Absent: Trustee Raclaw

President Richardson declared the motion carried.

The Board reconvened at 8:42 p.m. with all members present as the original roll call.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

None

18. OTHER

None

19. ADJOURNMENT: A motion was made by Trustee Schofield and seconded by Trustee Burke to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 8:42 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary

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Absent: Trustee Raclaw

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: Trustee Raclaw

Staff Present: Village Administrator Martin, Village Accountant Vernon, and Village Clerk Peterson

Others Present: Village Attorney Bateman and Zoning Board Member Fortman

3. PLEDGE OF ALLEGIANCE

4. CONSIDERATION OF MINUTES

A. Minutes of the Regular Meeting Held May 4, 2010

Board Action

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

5. PRESIDENT'S REMARKS (President Richardson)

President Richardson indicated the meeting would be heard out of sequence tonight.

6. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

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Board Action

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Upon roll call the vote was:

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Nays: None
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President Richardson declared the motion carried.

8. TREASURER'S REPORT:

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- H. Village Hall and Grounds (C Schofield): No report.

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Absent: Trustee Raclaw

President Richardson declared the motion carried.

15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

None

16. CLOSED SESSION

Board Action

At approximately 8:33 p.m., a motion was made by Trustee Schofield and seconded by Trustee Schaller 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, Mitchell, Schaller, Schofield, and President Richardson
Nays: None
Abstain: None
Absent: Trustee Raclaw

President Richardson declared the motion carried.

The Board reconvened at 8:42 p.m. with all members present as the original roll call.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

None

18. OTHER

None

19. ADJOURNMENT: A motion was made by Trustee Schofield and seconded by Trustee Burke to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 8:42 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary