

**VILLAGE OF LAKE BARRINGTON  
MINUTES OF THE REGULARLY SCHEDULED MEETING  
OF THE BOARD OF TRUSTEES HELD NOVEMBER 6, 2007**

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**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, November 6, 2007, and was called to order by President Richardson at 7:01 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, Trustee Vonder Haar, and President Richardson.

Absent: Trustees Burke and Struck.

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 24, 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 24, 2007 Special Board Meeting. The voice vote was unanimous and the motion carried.

**B) October 2, 2007 Regular Board Meeting Minutes**

**Board Action**

A motion was made by Trustee Vonder Haar and seconded by Trustee Schaller to approve the minutes of the October 2, 2007 Regular Board Meeting. The voice vote was unanimous and the motion carried.

**5. PRESIDENT'S REMARKS (President Richardson)**

**A) BACOG:** President Richardson reported on the upcoming Legislative Session in Springfield, the pursuit of groundwater research grants by BACOG, and the regional team-building dinner last weekend.

**B) Committee Appointments:** President Richardson distributed a copy of the proposed committees and appointment for finalization next month.

**C) Other:** See 6D for Other Comments.

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

(Also see public comment during agenda item 13.)

**A) Pre-Application Discussion: Larry Krupa**

Mr. Krupa addressed the Board relative to his proposed internet auto sales business for consideration at 22073 N. Pepper Road. Mr. Krupa stated that he was the owner of Barrington Coach Haus, an auto repair business, for 23 years at that location. Ability Auto Body, the most recent renter, has moved and the space is currently vacant.

Mr. Krupa stated that he would like to use the warehouse to store used autos for sale on the internet. There would be no repairs done on site whatsoever. Mr. Krupa stated that there would be occasionally autos parked in the lot. However, the lot is screened by 50' pine trees. Mr. Krupa informed the Board that the other tenants in his building and the body shop across the street are acceptable to the use. Mr. Krupa stated that he has 5 locations: 3 highway locations and 2 warehouses/storage locations. Sales would be subject to sales tax. Signage would be on Pepper and Industrial. About 25 autos could be displayed at the warehouse, coming from auctions, car appraisals' business, or purchased on own. There will be a variety of makes and models. Investors and projections are not known yet.

President Richardson stated that the Village has about 23 auto repair businesses and isn't interested in any more. President Richardson referred this matter to the Plan Commission.

**B) Pre-Application Discussion: Cristy Blair**

Ms. Blair addressed the Board relative to her proposed dog grooming and dog care business for consideration at 28W123 Industrial Avenue. She stated that the beauty of the area brought interest to her. She stated that the athletic complex would compliment her business. Ms. Blair stated that 80% of her business is grooming. She has had two locations for her business of 25 years, Bone 'Jour, 10 of which were in Schaumburg. The business is currently located in Barrington.

Ms. Blair stated that she does not see the proposed use to be in conflict with the nearby dog training facility. She stated that she would like to have an open house upon completion. Retail sales would include collars and other accessories. Ms. Blair stated that she has 1700 clients in her database. Ms. Blair stated that she plans to have an upscale boutique atmosphere and would be willing to limit the number of pets allowed at a time.

Administrator Martin stated that she would need a Text Amendment and/or a Special Use Permit. Agility Junkies has a Special Use Permit and Barrington Kennel use is grandfathered in on Hillview Drive. Board discussion followed pertaining to outdoor activity, noise level, animal control, waste, overnight kennel, and adjoining tenants.

Ms. Blair stated that her current business location backs up to townhomes in Barrington, across from the Ace Hardware, and she has not received any complaints. She stated that there is a big need in the community for pampering pets while owners have an open house or other need for temporary care. Ms. Blair stated that the business would have a cottage-like welcoming feel. She currently averages around 15 dogs for grooming daily but that number increases around the holidays for primarily small dogs. Ms. Blair stated that she has 4 groomers including herself and she may hire extra help during the summertime. Ms. Blair anticipates a 50% increase in business due to the extra square footage of the proposed location on Industrial Avenue with the percentage of total sales and services as follows: 25% retail, 25% day care, 25% grooming, and 25% sleep over's.

President Richardson referred this matter to the Plan Commission.

**C) Village Historian, Roberta Schleifer**

Village Historian Schleifer reported to the Board her activities for the past several months, including the recent visit of Emil Wiencke's grand niece, work with Michael Harris of the Barrington Area Historical Society and the Barrington Area Library pertaining to 4H Club memorabilia, continued photography by Thomas Balsamo (volunteer), and dialogue with Norma Freier about the Freier Farm. Historian Schleifer challenged the Board members and other Village leaders to contribute information about themselves and their respective families to the Village's historical archives for a better representation of the Village.

President Richardson thanked Village Historian Schleifer for her continued contributions to the Village.

**D) PRESIDENT'S OTHER REMARKS:** President Richardson announced the passing of a friend and former colleague Tom Wilbor. He stated that Mr. Wilbor spent a number of years representing the Village on the Board of Trustees, Zoning Board of Appeals, and Plan Commission. President Richardson reported that Mr. Wilbor was a church Elder and a former naval aviator.

**7. CONSENT AGENDA**

A) A motion was made by Trustee DeJesu and seconded Trustee Raclaw to ratify a professional design engineering agreement with Gewalt Hamilton for the Lakeland Estates Subdivision's drainage and pavement improvements for a sum not to exceed \$26,000.00.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**8. TREASURER'S REPORT:**

Treasurer Purcell gave the following report out of sequence:

**A) Audit Status:** Treasurer Purcell stated the audit has been upheld due to some technicalities that involve certain parts of the report. He stated that the Village should expect to receive the report within the next few weeks.

**B) Tax Levy Ordinance:** The Tax Levy was presented to the Board for review last month and it is now presented for Board approval.

**C) Financials Statements as of 09/30/2007:** Treasurer Purcell reported on the Village's favorable financial position, income and revenues. Mr. Purcell stated that the MFT Fund has an equity balance of \$309,100 available for road work next year.

**D - F) Warrants:** Warrants A, B, and C were reviewed, appear in order, and should be approved for payment.

**Board Discussion**

President Richardson stated his pleasure of the robust growth in the Interest Income that is taking the pressure off of property taxes.

Administrator Martin explained that the proposed Tax Levy Ordinances is a 5% increase over last year, excluding the open space Tax Levy of approximately \$338,000 to be considered in the

coming months via an Abatement Ordinance. Through the Abatement Ordinance the open space Tax Levy may be reduced by impact fees and other funds as determined by the Board.

**Board Action**

It was the consensus of the Board to defer consideration of Warrant B until after Closed Session.

**Board Action**

A motion was made by Trustee Vonder Haar and seconded by Trustee Schaller to consider by ominous vote and:

- B. Approve Ordinance No. 2007-O-21, a Tax Levy Ordinance for Fiscal Year 2007/2008; and
- C. Approve the Financial Statements as of 9/30/07; and
- D. Pay bills in the amount of **\$190,591.05** as listed on Accounts Payable Warrant "A" dated November 6, 2007; and
- F. Pay bills in the amount of **\$ 46,027.13** as listed on Accounts Payable Warrant "C" dated November 6, 2007;

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**9. ADMINISTRATOR'S REPORT**

**A. Open Space – Freier Farm Update:** Administrator Martin thanked Art Freier for the jarred honey bee furnished to the Village Board from the honey bee activity on the farm. Administrator Martin updated the Board on the farm house renovations and stated that Trustee Schaller recently toured the house to inspect the cabinets in the kitchen. Administrator Martin stated that he has received about eight calls about leasing the property including possibly using the home as an office which would be subject to zoning review. The fence quotes received were in the \$30,000 range and staff is taking into consideration a reduction on the area to be fenced to bring the cost down. He stated that the township is using the shed for storage. Administrator Martin stated that the Village may consider future events on the property, such as, farmers market, bonfire, outdoor movie, or other community events. In response to Trustee Raclaw's question, Administrator Martin reported that the house was exterminated and there are no live rodents in the home. He stated that the foundation is around 100 years old on one side which may need some tuck pointing work in the future.

**B. FY2009 Action Plan Draft:** Administrator Martin reported that he plans to meet with Trustee Struck to review the draft next week. He stated that the budget process would begin in December.

**C. Planning & Zoning:**

1) **NorthPointe status:** Administrator Martin reported that G23 has started site development and has applied for permits for signage and a construction trailer. The groundbreaking will be held on Friday, November 9th.

2) **JKF Country Homes/Foley status:** Administrator Martin reported the site development permit is ready for the 3-lot subdivision off of Henry Lane. He reported that the Village has secured their Letter of Credit and a pre-construction meeting is scheduled for tomorrow.

## 10. CLERK'S REPORT

Village Clerk Hoover gave the following report:

### For Residents:

- A. This week's Plan Commission meeting was cancelled. The next regular meeting is scheduled for December 13<sup>th</sup>. However, there are no petitions pending at this time.
- B. Village Hall will be closed on Monday, November 11 in observance of Veteran's Day and on November 22 and 23 for the Thanksgiving Holiday.
- C. The last day for yard waste pick-up is Wednesday, November 28<sup>th</sup>.
- D. New 2-year vehicle stickers will be available for purchase beginning in December. This is an optional program for residents. The fee is \$5.00 per sticker.
- E. Just a reminder that active Homeowners Associations are asked to keep current contact information on file at Village Hall. This information assists the Village for various communications including a reference point for residents seeking a building permit.

### For Businesses:

- F. The Illinois Smoking Ban goes in effect on January 1<sup>st</sup>. Businesses are urged to contact Tobacco Free Lake County at (847) 377-8090 or attend a free workshop sponsored by the Lake County Health Department to understand the impacts upon local businesses. There is a link on the Village's website.
- G. Business license final notices will be underway this month. About a dozen locations will be visited by Village Staff.

## 11. ORDINANCES

### A. CONSIDERATION OF AN ORDINANCE RE: NUISANCE FINE REPAYMENT

Administrator Martin distributed the following summary to the Board in their packets:

Attached for your review and consideration is the draft of an Ordinance amending the Village of Lake Barrington Village Code to expand the authority of the Village relative to controlling weeds, nuisance grass, trees, shrubs, other nuisance plants, as well as the removal of elm trees infected with Dutch Elm Disease and ash trees infested with the Emerald Ash Borer, all consistent with and as recently authorized by Public Act 95-183. The ordinance allows the Village to place liens on properties for unpaid nuisance citations.

### Discussion

Attorney Bateman summarized the General Assembly's Public Act No. 95-183 which addresses the Emerald Ash Borer problem in Illinois which authorizes municipalities to recover costs via liens for removals of infected trees. The Act additionally addresses nuisance weeds, trees and shrubs with removal and lien authority provided by the new State Statute.

Clerk Hoover questioned which nuisance code should be followed since the adopted the Illinois Property Maintenance Code which is more restrictive at 18". Attorney Bateman stated that the Village should follow the more specific code pertaining to height of weeds exceeding 24", commonly known as the Weed Ordinance. Discussion followed pertaining to proposed regulation of Buckthorn.

### Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Vonder Haar and seconded by Trustee DeJesu to pass Ordinance No. 2007-O-22, an Ordinance amending the Village of Lake Barrington Village Code RE: New Chapter 3, "Nuisance Trees, Weeds, and Other Nuisance Plants", of Title 11, "Trees and Plants

Upon roll call the vote was:

Yeas: Trustees DeJesu, Raclaw, Schaller, Vonder Haar, and President Richardson  
Nays: None

Abstain: None  
Absent: Trustees Burke and Struck

The motion carried.

**B. CONSIDERATION OF AN ORDINANCE RE: REGULATION OF VIDEO AND CABLE**

Administrator Martin distributed the following summary to the Board in their packets which was read aloud at the meeting: New legislation, prompted by the addition of AT&T to market, has provided Illinois municipalities with a means to have multiple service providers. Enclosed for your review and possible use is a draft Ordinance amending the Lake Barrington Village Code in order to adopt the Illinois Municipal League's model ordinances related to the Cable and Video Competition Law and Cable and Video Service Consumer Protection Act.

**Discussion**

Administrator Martin stated that a statewide franchise opens up competition for services. He talked about Project Light Speed on demand and remote access products. Attorney Bateman briefed the Board about facilities in the right-of-way a 45 day response time on permit applications, fiber optic truck lines, density of communities determining new services using phone lines, and the legislative Act's reserve 5% service fee, 1% public education/government support fee, and consumer protection. Attorney Bateman stated that there is some Village discretion on the location and screening of the cabinet facilities, which would most likely be installed near cable cabinets. There would probably be more cabinets in Lake Barrington Shores which would require more landscaping. The permit fees were discussed and amended to \$150 per permit. As for the current cable franchise agreement, Comcast can opt out of its present franchise contract by obtaining a statement authorization. Discussion followed pertaining to impacts on the Industrial Park and landscaping.

**Board Action**

Upon the conclusion of such discussion, a motion was made by Trustee Vonder Haar and seconded by Trustee Raclaw to pass Ordinance No. 2007-O-23 an Ordinance Amending the Village of Lake Barrington Village Code (RE: Amendment to Title 2: Addition of New Chapter 12, "Cable and Video Service Provider and PEG Access Support Fees and Consumer Protection" Amendments to Title 6: Revision to Section 6-5-1, "Franchise Agreement Required", Revision to Section 6-7A-2, "Definitions", Addition of New Chapter 9, "Construction of Utility Facilities in Rights of Way").

Upon roll call the vote was:

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

The motion carried.

**12. NEW BUSINESS**

**A. CONSIDERATION OF A RESOLUTION: APPROVING AND AUTHORIZING THE EXECUTION OF AN "INTERGOVERNMENTAL AGREEMENT FOR COOPERATIVE TRAFFIC CONTROL BY AND AMONG THE VILLAGE OF TOWER LAKES, THE VILLAGE OF NORTH BARRINGTON, AND THE VILLAGE OF LAKE BARRINGTON"**

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: Following complaints regarding access to the North Barrington Elementary School on Route 59 at Grandview, the Village of Tower Lakes has developed a cost share agreement for a traffic control officer. The officer would be at the intersection of Route 59 and Grandview two hours per day (morning and afternoon), to assist in moving traffic to and from the school site. The Village of North Barrington has approved the

agreement. The total cost to the Lake Barrington would be \$5,400 per year. The agreement is set to auto-renew without written notice from the Village.

**Discussion**

Administrator Martin stated that the officer would be directing traffic approximately 180 days per year. Village President Richardson stated that the Village of Tower Lakes anticipates the approval of the proposed contract. He stated that children residing in Tower Lakes, Lake Barrington, and North Barrington attend the school. Tower Lakes would be absorbing 1/3 of the costs. He stated that the Lake County Sheriff could not guarantee that the assigned officer would not be shifted to a higher priority as needed. Tower Lakes would commit an Officer for the sole duty of traffic control at North Barrington School. Trustee Raclaw stated that this is a very busy intersection and more traffic control is needed to ensure the safety of our children. The School District would not contribute to the expense. In response to the Clerk's question about using Impact Fees, Attorney Bateman stated that they are really intended for infrastructure expenses.

**Board Action**

Upon the conclusion of such discussion, a motion was made by Trustee Raclaw and seconded by Trustee DeJesu to Approve Resolution No. 2007-R-26, a Resolution Approving And Authorizing The Execution Of An Intergovernmental Agreement For Cooperative Traffic Control By And Among The Village Of Tower Lakes, The Village Of North Barrington, And The Village Of Lake Barrington.

Upon roll call the vote was:

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

The motion carried.

**B. CONSIDERATION OF A CONTRACT AWARD: FOR AN INTERSECTION DESIGN STUDY AT IL ROUTE 14 AND PEPPER ROAD**

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: The Village is interested in installing a traffic signal at the intersection of Pepper Road and IL Route 14. The first step in this process is to complete an intersection design study (IDS). The study will detail topography, drainage and lane configurations. The study is then used to begin the construction design phase for the improvements via IDOT. Staff will also be using the study to work towards securing funding from the State for the improvements. The Village solicited proposals from two engineering firms which it has utilized for other previous matters.

**Discussion**

Discussion followed pertaining to the process of the study and recent conference call meeting with the Village lobbyist. The next step is to set up a meeting with the IDOT Chief of Staff to present the Village's case and warrants. The Village is seeking 1/3 funding by the State, 1/3 funding by the Village, and 1/3 funding by G23 Development. The distance of traffic signals along Route 14, potential increase in traffic to the NorthPointe facility, and character and redevelopment were discussed.

**Board Action**

Upon the conclusion of such discussion, a motion was made by Trustee Schaller and seconded by Trustee Vonder Haar to Authorize the Village Administrator to enter into an agreement with Gewalt Hamilton Engineers for the completion of an Intersection Design Study for a traffic signal at IL Route 14 and Pepper Road for lump sum fee of \$21,000.

Upon roll call the vote was:

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

The motion carried.

**C. CONSIDERATION OF A RESOLUTION: WALNUT GROVE LOC REDUCTION**

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: The developer of the Walnut Grove Estates Subdivision, Peak Contracting, has requested a reduction in the amount of a Letter of Credit based upon substantial improvements. The Village Engineer's recommendation is provided in the Board folder.

**Discussion**

Administrator Martin stated that Walnut Grove is seeking a \$26,346 reduction in their Letter of Credit representing site improvements as recommended by the Village Engineer.

**Board Action**

Upon the conclusion of such discussion, a motion was made by Trustee DeJesu and seconded by Trustee Raclaw to Approve Resolution No. 2007-R-27, a Resolution approving a reduction in the amount of a Letter of Credit (Walnut Grove Estates).

Upon roll call the vote was:

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

The motion carried.

**13. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD – (Also see agenda item 6.)**

**A. Village Historian, Roberta Schleifer**

Village Historian Schleifer, 182 River Road, addressed the Board relative to a maintenance complaint and line of sight issue along River Road due to infrequent mowing by Lake County Division of Transportation (DOT). President Richardson thanked Ms. Schleifer for the information and directed staff to reach out to Lake County DOT. Ms. Schleifer added that drivers tend to speed along River Road from Roberts to Tanglewood Estates.

**B. Committee Report – Environmental Protection Committee (Trustee DeJesu)**

Trustee DeJesu reported that she attended a meeting by the Fox River Ecosystems Partnership on "Lean and Green Communities". She stated that Streamwood, Algonquin, and Geneva presented at the meeting. The use of rain gardens in lieu of one large wet detention was one of the presentations which require inspections three to four times a year. Trustee DeJesu stated that she thought the best idea was Algonquin's tree planting varieties similar to an arboretum around Village Hall. There was another presentation about using cooking oil to convert to bio fuel which saved on large city \$7000.

**C. Pasquesi Donation**

President Richardson thanked Pasquesi Home and Garden for their generous autumn display donation at Village Hall.

**14. CLOSED SESSION**



At 8:45 PM, a Motion was made by Trustee Schaller and seconded by Trustee Raclaw That A Portion of The Meeting Be Closed To The Public, Effective Immediately, 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, and/Or To Discuss Matters of Personnel, and/Or To Discuss Possible Real Estate Acquisitions, and/Or To Discuss 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 DeJesu, Raclaw, Schaller, Vonder Haar, and President Richardson  
Nays: None  
Abstain: None  
Absent: Trustees Burke and Struck

The motion carried.

*The Village Board reconvened at 9:38 PM with those Board members in attendance as during original roll call.*

**15. ACTION TO BE TAKEN FROM CLOSED SESSION**

**Board Action**

A motion was made by Trustee Raclaw and seconded by Trustee DeJesu to:

- E. Pay bills in the amount of **\$ 50,000.00** as listed on Accounts Payable Warrant "A" dated November 6, 2007.

Upon roll call the vote was:

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

The motion carried.

**16. OTHER: None.**

- 17. ADJOURNMENT:** A motion was made by Trustee DeJesu and seconded by Trustee Schaller to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 9:41 p.m.

Respectfully submitted,

Cynthia L. Hoover  
Village Clerk  
Recording Secretary