

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

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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, April 1, 2008, and was called to order by President Richardson 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 Raclaw, Schaller, Struck, Vonder Haar, and President Richardson

Absent: Trustees Burke and DeJesu

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) March 4, 2008 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 March 4, 2008 Regular Board Meeting. The voice vote was unanimous and the motion carried.

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

**A. CONSIDERATION OF A RESOLUTION OPPOSING THE ACQUISITION OF THE EJ&E RAILWAY COMPANY BY THE CANADIAN NATIONAL RAILWAY COMPANY**

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

The Village, along with other BACOG communities and Townships, has joined in opposing the acquisition of the EJ&E Rail line by THE Canadian National railroad. This resolution formalizes this position.

**Discussion**

Discussion followed pertaining to formalizing the Village's position on the CN matter. President Richardson thanked Trustee Raclaw for his participation. Trustee Raclaw updated the Board about the meeting and progress with the region's elected Federal officials, such as, Senators Obama and Durbin and Congresswoman Bean, as well as the coalition. President Richardson added that other federal representatives, such as, Don Manzullo, are equally engaged. He stated that it is the coalition's growing consensus of straight objection verses

mediation. He announced the April 11<sup>th</sup> coalition meeting to be held at Makray Golf Course. Further discussion followed pertaining to the Barrington coalition's leadership, Barrington's Hills leadership role, and CN's non-sincere negotiations.

**Board Action**

A motion was made by Trustee Raclaw and seconded by Trustee Struck to pass Resolution No. 2008-R-10, A Resolution In Opposition To The Application By The Canadian National Railway Company To The U.S. Surface Transportation Board For Approval Of The Proposed Acquisition And Change Of Control Of The Elgin, Joliet & Eastern Railway Company.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**B. OTHER**

President Richardson discussed the State's capital budget as it pertains to the possible funding of the Wauconda Wastewater Treatment Plant's nitrogen removal and IEPA clean-up of the Tarkowski property. He stated that Administrator Martin would assist Fidelity Consulting as needed.

6. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD** – None.  
(Also see public comment during agenda item 15.)

7. **CONSENT AGENDA**

- A. Pass a Proclamation in Celebration of Arbor Day, Friday, April 25, 2008 in the Village of Lake Barrington

**Board Action**

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

Upon roll call the vote was:

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

President Richardson declared the motion carried.

Administrator Martin stated that in celebration of Arbor Day, the Village would be planting various native tree species as part of a new arboretum on Village grounds. He gave Trustee DeJesu credit for the idea.

8. **TREASURER'S REPORT:**

Treasurer Purcell reported on the following:

- A. The Village's General Fund net income and earned interest, petitioner and developer accounts, Motor Fuel Tax Fund, and revenues were discussed.

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

**Board Action (A-C)**

A motion was made by Trustee Vonder Haar and seconded by Trustee Raclaw to consider by omnibus vote and:

- A. Approve the Financial Statements as of 02/28/08; and
- B. Pay Bills in the amount of \$238,795.28 as Listed on the Accounts Payable Warrant "A" Dated April 1, 2008; and
- C. Pay Bills in the amount of \$4,948.95 as Listed on the Accounts Payable Warrant "B" Dated April 1, 2008; and

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**Board Action (D)**

A motion was made by Trustee Schaller and seconded by Trustee Struck to:

- E. Pay bills in the amount of \$ 235.00 as listed on Accounts Payable Warrant "C" dated April 1, 2008;

Upon roll call the vote was:

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

President Richardson declared the motion carried. He stated that as a former employee and current client of ServiceMaster he abstains from voting on this warrant and further stated that he had and has no involvement in the selection of the Village's cleaning service.

**9. ADMINISTRATOR'S REPORT**

Administrator Martin gave the following report:

**A. Special Board Meeting, Saturday April 19:** Administrator Martin announced that the Board would be holding a special meeting to discuss economic development, branding, and the FY09 plans on April 19<sup>th</sup> from 8:00 am until 11:00 am.

**B. Spring Clean-up letters:** Administrator Martin reported that courtesy spring clean-up letters were mailed to businesses and property owners in the Industrial Parks. He stated that the Village has occasional issues, such as, storage of vehicles for sale, weeds, trash, and outside storage of materials. He stated that follow-up inspection would be held around May 20<sup>th</sup> and notices would be served on any violators with a 5 to 10 day remediation deadline.

**C. ICMA Recognition of the Village of Lake Barrington:** Administrator Martin announced that the Village was given recognition by the ICMA for the Village's professional management, policies of the Board, and recognition of staff efforts. Trustee Vonder Haar recognized Administrator Martin for his active role in developing Village instruments, such as, the Financial Plan, work on the Comprehensive Plan, etc.

**D. Other:** Administrator Martin reported that because of all the winter snow there seems to be localized flooding areas along ditch lines and asked residents to be patient.

## 10. CLERK'S REPORT

Clerk Hoover gave the following report:

**A. Business Licenses, Due May 1st:** License applications were mailed out last month and are due by May 1<sup>st</sup>. There is a 30-day grace period ending May 31<sup>st</sup>.

**B. Forest Preserve hosting Heron Rookery Tour April 26th:** A heron rookery tour is set for April 26<sup>th</sup> at the Fox River Preserve for participants to learn about herons living in the area.

## 11. COMMITTEE REPORTS

**A. COMMUNITY DEVELOPMENT** (Chair Raclaw) – Trustee Raclaw reported on the URS presentation relative to streets, access, traffic, and development. Administrator Martin stated that schematic drawings are available for public viewing.

**B. FINANCE & HUMAN RESOURCES** (Chair Vonder Haar) – No report.

**C. INTERGOVERNMENTAL AFFAIRS** (Chair Richardson) – Chair Richardson reported on Administrator Martin's visit to Springfield, BACOG's participation relative to the Fox River Watershed and granted being pursued and the municipal police and fire pension concerns. President Richardson announced that Plan Commission Chair Karen Daulton Lange was nominated by the Illinois Planning Commission to the Illinois Affordable Housing Appeals Board.

**D. NATURAL RESOURCES** (Chair DeJesu) – Administrator Martin reported that the Village would be attending the Flint Creek Watershed Partnership meeting in May to hear a presentation which they would be seeking municipal support.

**E. PUBLIC SAFETY** (Chair Schaller) – Trustee Schaller reported that he attended an emergency planning meeting attended by Lake County, Wauconda Fire, and Lake Barrington Shores representatives. He stated that Lake County's mobile command area is stationed at Wauconda Fire Department. He reported that dialogues with first responders and chain of command are underway. Trustee Schaller suggested laminated information sheets be distributed to residents and announcements be made using Connect CTY.

**F. PUBLIC WORKS** (Chair Vonder Haar) – Trustee Vonder Haar reported that letters were mailed to Lakeland Estates residents inviting them to attend a Village meeting pertaining to the roads program in their area. She reported that approximately five residents attended the meeting and listened to the Gewalt-Hamilton project presentation. Administrator Martin stated that the meeting was effective and residents concerns were resolved by the Village Engineer. He stated that Board consideration is on the agenda for tonight's meeting.

**G. RULES** (Chair Schaller) – No report. President Richardson stated that venue issues raised of an unforeseen nature are routed to the Rules Committee but are sometimes heard by the Ethics Committee.

12. OLD BUSINESS – None.

## 13. ORDINANCES

### **A. CONSIDERATION OF A NEW CLASS "L" LIQUOR ORDINANCE**

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: At the request of the Onion Pub, the Board is being asked to consider a new liquor license classification. Attached for your consideration is a new Class L liquor license allowing restaurant or golf club patrons to bring in their own bottle(s) of wine to be served and consumed on the premises. Adjacent Villages have similar licenses. Staff

recommends that the Board consider the Ordinance to stay competitive with surrounding establishments.

**Discussion**

Attorney Bateman stated that the Dram Shop Act provisions may be argued to allow Class "L" license holders to re-seal the balance of the wine bottles brought in by patrons.

**Board Action**

Upon the conclusion of such discussion, a motion was made by Trustee Raclaw and seconded by Trustee Schaller to pass Ordinance No. 2008-O-15, an Ordinance establishing a new Class "L" Liquor License Classification for the Village of Lake Barrington.

Upon roll call the vote was:

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

The motion carried.

**14. NEW BUSINESS**

**A. CONSIDERATION OF LETTER OF CREDIT REDUCTION: NORTHPOINTE**

Administrator Martin distributed the following summary to the Board in their packets: NorthPointe is requesting a reduction in the amount of their Letter of Credit for the North-Pointe Development. The Village Engineer has inspected the site and their recommendation was provided to the Board.

**Discussion**

Administrator Martin described the work completed by NorthPointe and the Village Engineer's recommendation to reduce their Letter of Credit from \$1,268,959.00 to \$665,257.00.

**Board Action**

A motion was made by Trustee Vonder Haar and seconded by Trustee Struck to pass Resolution No. 2008-R-11, A Resolution Reducing the Amount of a Letter of Credit RE: NorthPointe Development.

Upon roll call the vote was:

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

**B. CONSIDERATION OF MOTOR FUEL TAX RESOLUTION: LAKELAND ESTATES ROAD WORK**

Administrator Martin distributed the following summary to the Board in their packets which he read aloud at the meeting: Expenditure of Motor Fuel Tax (MFT) funds requires that the Board pass a resolution with an estimated allocation and an authorization to go to bid. This resolution authorizes Gewalt Hamilton to bid the Lakeland Estates project and allocates \$425,000 from the Village's MFT receipts.

**Discussion**

Discussion followed pertaining to resurfacing and drainage work as previously reviewed by the Public Works Committee, Finance Committee, and Village Board. Administrator Martin

stated that the Paver Management Program has been reduced from the Village's seven year goal to five year completion. Further discussion followed pertaining to the drainage work and current inadequate drainage system in Lakeland Estates as well as other surveys and studies completed to address the situation.

**Board Action**

A motion was made by Trustee Vonder Haar and seconded by Trustee Schaller to pass Resolution No. 2008-R-12, a Resolution regarding 2008 MFT Funds: Lakeland Estates Drainage and Paving Project.

Upon roll call the vote was:

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

The motion carried.

**C. CONSIDERATION OF PERIODIC AMENDMENTS TO THE ZONING MAP**

Clerk Hoover distributed the following summary to the Board in their packets which was read aloud at the meeting: Periodically, the Village updates the Zoning Map to reflect changes as previously approved by the Board. The changes being considered to the map include 1) the de-annexation of a parcel to the Village of Fox River Grove, 2) the annexation, plat, and special use for the NorthPointe Development, 3) other special use permits issued, and 4) minor corrections.

**Board Action**

A motion was made by Trustee Struck and seconded by Trustee Raclaw to pass Resolution No. 2008-R-13, a Resolution authorizing publication of the Village of Lake Barrington Zoning Map.

Upon roll call the vote was:

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

The motion carried.

**D. CONSIDERATION OF FOREST PRESERVE PEDESTRIAN ACCESS EASEMENT**

Administrator Martin distributed the following summary to the Board in their packets: The Lake County Forest Preserve has prepared a "Partial Assignment and Assumption of Easement Agreement" for the Grassy Lake Trail. This easement was required as part of the creation of the original trail, but was left unresolved. The Village Attorney has reviewed the document.

**Discussion**

Attorney Bateman explained that as part of the Estates of Lake Barrington (a.k.a. Flint Creek Farms Unit 3) Subdivision, an easement was given to the Village by the developer which was always intended to be transferred to the Lake County Forest Preserve for the Grassy Lake Trail. Since then, there were some adjustments to the field locations. He stated that the proposed easement assigns the Village's rights over to the Forest Preserve.

**Board Action**

Upon the conclusion of such discussion, a motion was made by Trustee Schaller and seconded by Trustee Vonder Haar to Pass Resolution No. 2008-R-14, A Resolution authorizing the Partial Assignment and Assumption of Easement Agreement.

Upon roll call the vote was:

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

The motion carried.

15. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD** – *(Also see agenda item 6.)*
16. **CLOSED SESSION** – None.
17. **ACTION TO BE TAKEN FROM CLOSED SESSION** – None.
18. **OTHER** - None
19. **ADJOURNMENT**: A motion was made by Trustee Raclaw and seconded by Trustee Struck to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 8:03 p.m.

Respectfully submitted,

Cynthia L. Hoover  
Village Clerk  
Recording Secretary