

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD APRIL 6, 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 Tuesday, April 6, 2010, and was called to order by President Richardson at 7:02 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, Raclaw, Schaller, Schofield and President Richardson

Absent: None

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: Village Administrator Martin, Village Treasurer Purcell, 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 March 2, 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)

A. Lake Barrington Spring Has Sprung Sprint 5K Walk/Run – Sherry Hana, Chairperson, Community Health & Wellness Advisory Committee

Ms. Hana gave highlights of the May 1 event which features a 5K race, community walk, kids' activities and Arbor Day ceremony. Ms. Peterson announced Doering Landscape Co. is donating the Arbor Day tree and Pasquesi Home & Gardens is sponsoring the tree seedling giveaway. Trustee Schofield, who is on the planning committee, commended Ms. Hana for her outstanding efforts.

B. Other-None.

6. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

Tom Laue, President of the Lake Barrington Field House (LBFH), announced they are hosting the Chicago Youth World Cup Soccer Tournament and Summer Kickoff Festival June 18-20. The proposed festival would be held outdoors with bands, merchandise and food vendors, and alcohol service. LBFH will apply for the appropriate liquor license.

Board Discussion

Board members were polled for comments and they expressed support for the event. Upon inquiry, Mr. Laue noted LBFH is asking neighboring businesses and property owners for permission to use their parking lots, beer and wine would be served, and they are considering creating a fenced off beer garden area. Concerns with serving alcohol at a children's tournament and alcohol service until 1 a.m. were raised. Mr. Laue stated the outdoor festival is separate from the tournament. It was suggested traffic be diverted to have people enter in on Pepper Road and exit out to Kelsey Road. Ways to ensure that vendors' retail sales taxes are received by Lake Barrington will be investigated.

Chris Nudo, Attorney for Dr. O'Donnell of Children and Teens, indicated Dr. O'Donnell whose Children and Teens practice is located in the Smith Professional Building, purchased an office condo in the Flint Creek ProMed Building located at 28160 Northwest Highway with the intent to open a state-of-the-art pediatric medical office. Mr. Nudo reviewed an information packet that was provided with the Board folder. The building is in foreclosure and numerous liens have been recorded against the property. The building is not marketable without a lane improvement that was permitted to the developer by IDOT.

Mr. Nudo requested the Village call a Letter of Credit (LOC) in the amount of \$217,000 and apportion funds towards the deceleration lane improvement.

Mr. Bateman commented the language pulled from the letter of credit that was included in the information packet is standard language for letters of credit, and that the dollar amount set for the LOC does not include funds for Highway 14 improvements. He further stated he cannot recommend taking their requested action relative to the LOC on the basis that the facts favor the Village. Barrington Bank & Trust indicated it would like to extend the LOC and proceed with the remaining items that were guaranteed by the LOC.

Mr. Martin recalled that the deceleration improvements were not included in the LOC, because they were separate from the development project and the jurisdiction was with IDOT, not the Village.

Upon inquiry, Mr. Bateman stated the surety bond in the amount of \$50,000 that was put up by the developer with IDOT is not within the Village's control and that attempting to add the deceleration lane to the current Route 14 /Pepper Road project would further delay that work.

Mr. Martin stated he is encouraging installation of an access road to Pepper Road through the Saturn property.

Mr. Nudo and Mr. Martin indicated the deceleration lane is shovel ready.

Discussion was held regarding encouraging the bank to invest in installation of the lane to make the property marketable.

Mr. Bateman advised there would be a risk of litigation if the Village called the LOC to make the lane improvement.

Discussion concluded with President Richardson asking Mr. Nudo to confer with him, Mr. Martin and Mr. Bateman to look for relief in other ways through advocacy.

Board Action

The Board came to a consensus to have the Village advocate on Dr. O'Donnell's behalf. Mr. Martin recommended proceeding with the LOC as it was intended.

Carol Born, Indian Trail Road, requested the Village examine the poor condition of Indian Trail Road, commented on Village President Richardson's letter in the newsletter, "A Question to be Asked," and addressed the need for road improvements.

President Richardson reviewed his letter and explained the bond counsel advised the Village cannot refund the money, but that it can continue with purchasing land for open space preservation or it can spend the funds on capital improvements like roads and drainage. He indicated the Village is investigating a resident's suggestion to have the Village borrow from the Open Space Fund to finance capital improvements. The Village is examining methods to survey residents on this issue.

Mr. Martin stated due to the building boom the last few years, the Village was able to accelerate the road program, but due to current economic conditions, revenues have decreased substantially affecting further implementation. He explained Indian Trail Road is a strategic arterial road and that a grant had been applied for maintenance, but was not awarded. He further noted the full length of the road falls between three communities.

Trustee Burke explained the Open Space Fund, as established, has no affect on the ability to complete infrastructure projects, because it is exclusive of other funds that fund capital improvements. The goal now is to reach out to the community to broadly gauge residents' opinions through a non-binding poll and then the Board will make a decision after examination of the results.

Elizabeth Gullum, resident of Lake Barrington, asked how long the survey process would take and expressed concern for safety on Indian Trail Road. President Richardson stated the Village is trying to find a method to survey residents that will ensure the integrity of one vote per household and he encouraged Lake Barrington residents to participate in the survey.

Douglas Jones, resident of Lake Barrington, expressed the need for urgency in conducting the survey.

Dianne Jones, resident of Lake Barrington, noted Indian Trail is a bike route and stated her concern with safety.

7. CONSENT AGENDA

- A. Proclamation in Celebration of Arbor Day**, Friday, April 30, 2010.
- B. Salvation Army:** to conduct two annual fund raisers for 2010: 1) Donut Day on Friday and Saturday, June 4 and 5, and 2) Holiday Kettles on Friday, November 19 through Sunday, December 26.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Mitchell to Approve the Consent Agenda.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

8. TREASURER'S REPORT:

The Board proceeded with 8 B-D prior to 8A.

A. Financial Plan FY2011 - 1st Review

Mr. Martin noted the Financial Plan FY2011 is in first draft form and that no action would be taken at tonight's meeting. He briefed the Board on the financial planning process and last month's budget workshop.

He reviewed the General Fund balance noting funds for the Pepper Road traffic signal will be taken out of the fund. He reviewed the variables and impacts that are affecting revenues and stated staff would monitor revenues throughout the year and will report in November or when and if the balance approaches the fund balance policy level of 66% of the general operating budget.

Motor Fuel Tax funds are being dedicated over the next three years towards the replacement of the Woodland Bridge. A substantial amount of the cost will be funded with federal program funds.

The Water and Sewer fund is in good shape with the Village proposing a lower increase for the water rates to assist business owners. This item will be brought to the Board in May.

Board Discussion

Discussion was held on Motor Fuel Tax funds, replacement of the Woodland Bridge and funding the road maintenance program. Trustee Burke reviewed the drainage evaluation process and wants to discuss a new road maintenance evaluation. Discussion was held on community expectations regarding infrastructure and the fiscal condition of the Village due to the economy.

B. Approve the Financial Statements as of 2/28/10.

Mr. Purcell reported the village experienced a smaller loss for the month compared to past months due to increases in revenue income. The state is three months past due in income tax distributions to municipalities. The MFT fund balance is \$192,700 with another \$20,000 anticipated to be received this year.

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

Board Action (B-D)

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

- B.** Approve the Financial Statements as of 2/28/10.
- C.** Pay Bills in the amount of \$ 160,212.92 as Listed on the Accounts Payable Warrant "A" Dated April 6, 2010.
- D.** Pay Bills in the amount of \$ 13,293.24 as Listed on the Accounts Payable Warrant "B" Dated April 6, 2010.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

The Board recessed at 8:35 p.m. and reconvened at 8:44 p.m. with all members present as the roll call. The Board proceeded with Item 8A.

9. ADMINISTRATOR'S REPORT

Mr. Martin reported on the following:

- A. River/Roberts/Kelsey Resurface Report: Lake County Department of Transportation is resurfacing River Road from Kelsey to Roberts Road and Kelsey Road south of Linden to Route 14.
- B. Pepper and Route 14 Traffic: The traffic signal installation and intersection improvement project will begin on April 19 and is expected to be completed in August. There will be lane closures with through lanes. An inquiry was made regarding proposed road improvements on Miller Road east of Rt. 59. Staff did not have information regarding that project, because it is located in North Barrington.
- C. Other

10. CLERK'S REPORT

Ms. Peterson reported on the following:

- A. Business License Renewals Due May 1st
- B. 2010 U.S. Census participation rate for Lake Barrington has been the second highest in BACOG area. A second questionnaire is being mailed to households that did not return forms.
- C. Newsletter was mailed in March. The Link Me web newsletter is on the Village website.
- D. Community events were highlighted.
- E. Other-none.

11. REPORTS OF STANDING COMMITTEES

- A. Communications and Community Relations (C. Mitchell): Trustee Mitchell raised concern about the lack of understanding regarding the open space bond program and suggested further communication with residents to explain it.
- B. Environment & Open Space (L. DeJesu): Ms. Peterson announced the Village was designated as a 2009 Tree City USA community and received a 2009 Growth Award for preserving the Gibbs property for open space.
- C. Finance, Human Resources and Economic Development (D. Raclaw): Trustee Raclaw noted this was covered in other parts of tonight's meeting.
- D. Gated Communities (J. Schaller): Trustee Schaller reported Mr. Martin put together rapid calling system groups by condo association for LBS. LBS will go through the Village when the rapid calling system is needed. Guidelines for the system's use by LBS will be presented to the Board in May.
- E. Intergovernmental & External Relations (K. Richardson): President Richardson reiterated the state is statutorily obligated to pay appropriations that were passed last year and that the Village is working with the lobbyist to prioritize Lake Barrington's projects on the payment lists.
- F. Public Safety (J. Schaller): Trustee Schaller indicated LBS inquired about having Lake County Sheriff issue tickets in LBS. Mr. Bateman advised the statutory authority existed for Lake County Sheriff to provide services within LBS. Such service would have to be the subject of a contract between the LBS Master Board and the Village.
- G. Roads and Infrastructure (A. Burke): Mr. Martin reported two drainage projects are underway - Cherokee Lane and Mercy Medical. Engineering for the Woodland Bridge is being conducted. Cuba Township will be patching roads. Patch requests can be sent to lakebarrington@lakebarrington.org. Flynn Creek Drive along the recently purchased Gibbs property will be resurfaced in the fall through the open space program.
- H. Village Hall and Grounds (C Schofield): Trustee Schofield indicated replacement of the Freier Farm barn roof and the hiring of a master planner are on tonight's agenda for consideration.

12. OLD BUSINESS

A. CONSIDERATION OF A RESOLUTION SUPPORTING THE USE OF PHOSPHOROUS-FREE FERTILIZERS AND DETERGENTS

The following summary was provided with the Board folder: *The use of phosphorous based chemicals stimulates algal growth detrimentally affecting water quality and ecosystems. The Flint Creek Watershed Partnership (FCWP) is requesting its partners and the BACOG governments to pass this resolution. Resolutions adopted by BACOG governments will provide the basis for a public education campaign led by the Flint Creek Watershed Partnership. Materials are provided in the Board folder.*

President Richardson stated Jeff Fedorchak, a Lake Barrington resident, and Dr. Cindy Skrukud of the Sierra Club, were working on a bill in Springfield regarding a ban on phosphorous fertilizers and other related measures. They both were not available to make a presentation to the Board regarding this topic.

President Richardson indicated prior to voting that he works with Tru-Green.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Schofield to Pass Resolution No. 2010-R-06, a Resolution Supporting the Use of Phosphorous-Free Fertilizers and Detergents

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Mitchell, Raclaw, Schaller, Schofield, and
President Richardson

Nays: None

Abstain: None

Absent: None

President Richardson declared the motion carried.

13. ORDINANCES

A. CONSIDERATION OF AN ORDINANCE REQUIRING NOTIFICATION OF NEIGHBORING PROPERTY OWNERS FOR OPEN BURNING

The following summary was provided with the Board folder: *Staff is recommending changes to the Village's open burning regulations pertaining to conservation burns, including; reducing the notice period from 10 days to 3 and allowing 24 hour door hanger notice of adjacent properties. These changes are designed to encourage conservation burns. The ordinance amendment also expressly prohibits the burning of grass clippings. Materials are provided in the Board folder.*

Board Action

A motion was made by Trustee Schofield and seconded by Trustee DeJesu to pass Ordinance No. 2010-O-07, an Ordinance Amending the Village of Lake Barrington Village Code (RE: Open Burning - Section 3.F-403.2, "Permits Required; Notification of Neighboring Property Owners Required") and others.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

B. CONSIDERATION OF AN ORDINANCE ADOPTING ENERGY CONSERVATION CODE

The following summary was provided with the Board folder: *Pursuant to State requirements, the Village is required to adopt the Energy Conservation Code as an amendment to the Building Code. Materials are provided in the Board folder.*

Mr. Bateman indicated the ordinance was not required, because the Energy Conservation Code is a state standard, however, the ordinance provides notice of the change.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Raclaw to pass Ordinance No. 2010-O-08, an Ordinance Amending the Village of Lake Barrington Village Code (Re: Amendments to Title 7, "Building Regulations", of the Lake Barrington Village Code, Addition of New Section 7-3-9, "Energy Conservation Code Adopted")

Upon roll call the vote was:

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

President Richardson declared the motion carried.

14. NEW BUSINESS

A. CONSIDERATION OF CONTRACT FOR THE FREIER FARM BARN ROOF REPLACEMENT

The following summary was provided with the Board folder: *The roof of the large barn at the Freier Farm is in disrepair and requires replacement. Staff requested quotes from the Metal Roofing Alliance, three quotes were received. The Village Property Task Force recommends that the Village contract with Custom Construction Systems for \$42,700 for the replacement. The roofing will be a standing seam metal roof with a 40 year warranty. This improvement will be paid for via the open space fund. Materials are provided in the Board folder.*

Mr. Martin stated the aesthetics will be consistent with the current black roof. Trustee DeJesu noted Mr. Martin investigated shingle and asphalt roofs.

Board Action

A motion was made by Trustee Mitchell and seconded by Trustee Schofield to Authorize the Village Administrator to Enter into a Contract for the Replacement of the Large Barn Roof at Freier Farm With Custom Construction Systems Not to Exceed 110% of the Quoted \$42,700, and to Waive Public Bid.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**B. CONSIDERATION OF A CONTRACT FOR MASTER PLANNING SERVICES FOR THE
FREIER FARM**

The following summary was provided with the Board folder: *Pursuant to Village Board direction, staff requested recommendations for a park planner from the Village Engineer and others to complete a master plan for the Freier Farm. The Village Property Task Force recommends 3-D Design Studio which has worked in numerous communities and for several park districts. The total cost is \$9,875 to be paid for via the open space fund. Materials are provided in the Board folder.*

Board Discussion

Mr. Martin indicated the price includes the master plan and CAD drawings. Concern was raised over the ala carte pricing and that the brochure featured active parks and playgrounds. Mr. Martin mentioned he did discuss the scope of work with the company. Trustee Schofield stated the Freier Farm will be planned with a passive usage in order to keep the focus of the property as open space.

Board Action

A motion was made by Trustee Schofield and seconded by Trustee Schaller Authorize the Village Administrator to Enter into an Agreement With 3-D Design Studio for Master Planning Services for the Freier Farm Not to Exceed 110% of the Quoted \$9,875.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**C. CONSIDERATION OF AN AGREEMENT FOR A JOINT DRAINAGE PROJECT - MERCY
MEDICAL**

The following summary was provided with the Board folder: *Staff has been working with Mercy Medical and residents on Dublin Way to complete drainage improvements serving both the residents and Mercy Medical. To this end, staff has crafted a Letter of Understanding to provide a cost share for the project. Materials are provided in the Board folder.*

Mr. Martin stated it is not typical to have a cost-sharing arrangement for this type of project and that the Village would absorb any overage or share any reduction with Mercy Medical.

Board Action

A motion was made by Trustee Burke and seconded by Trustee Raclaw to Authorize the Village Administrator to Enter into an Agreement with Mercy Medical for a Joint Drainage Project.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Mitchell, Raclaw, Schaller, Schofield, and
President Richardson

Nays: None

Abstain: None

Absent: None

President Richardson declared the motion carried.

D. CONSIDERATION OF A LETTER OF CREDIT EXTENSION: FLINT CREEK PROMED BUILDING

The following summary was provided with the Board folder: *The existing Letter of Credit for the Flint Creek ProMed Building in the amount of \$217,000 is set to expire on May 2, 2010. A request was made by the appointed receiver of the Flint Creek ProMed Building to extend the Letter of Credit. Staff recommends extending this performance guarantee for another year. Materials are provided in the Board folder.*

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Mitchell to Pass Resolution No. 2010-R-07 a Resolution Extending a Letter of Credit RE: Flint Creek ProMed Building

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Mitchell, Raclaw, Schaller, Schofield, and
President Richardson

Nays: None

Abstain: None

Absent: None

President Richardson declared the motion carried.

E. CONSIDERATION OF A RESOLUTION FOR CONSTRUCTION ON STATE HIGHWAY

The following summary was provided with the Board folder: *Chapter 21 of the Illinois revised statutes requires that any person, firm or corporation desiring to do work on state maintained rights of way must first obtain a written permit from IDOT and a surety bond is required with each permit application. For permit work to be performed by employees of a municipality a resolution is acceptable in lieu of a surety bond. Materials are provided in the Board folder.*

Mr. Bateman explained the purpose of the resolution and indicated the resolution is a standard form that is passed every two years.

Board Action

A motion was made by Trustee Mitchell and seconded by Trustee Schaller to Pass Resolution No. 2010-R-08, a Resolution for Construction on State Highways.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

16. CLOSED SESSION

President Richardson stated the Board does not need to go into closed session.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

The Board did not go into closed session

18. OTHER

None

19. ADJOURNMENT: A motion was made by Trustee Mitchell and seconded by Trustee Raclaw to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 9:58 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary