

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD NOVEMBER 3, 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, November 3, 2010, and was called to order by President Richardson at 7:03 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, Schofield, Schaller, and 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

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, 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 October 5, 2010

Board Action

A motion was made by Trustee Schofield and seconded by Trustee DeJesu 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. Announcement of Grant Award – Don Storino, Fidelity Consulting Group

Mr. Storino reported on results of Fidelity Consulting Group's advocacy efforts on behalf of the Village including state funding to pay for a third of the Pepper Road/Rt. 14 traffic signalization, \$450,000 appropriation for Tarkowski property cleanup, and a \$100,000 grant for general infrastructure improvements. Mr. Martin noted the grant is being used for the Indian Trail Road project freeing up funding to patch streets in other neighborhoods throughout the Village. Recognition was given to State Representatives Tom Cross and Mark Beaubien, and State Senator Dan Duffy for their assistance on these matters. The \$100,000 grant was released in the first of five lettings for payments made from the capital budget appropriations. President Richardson commended Mr. Storino and Mr. Daly of Fidelity Consulting Group for raising \$800,000 in state funding in the two years they served the Village and for their integrity in representing the Village. Board members individually thanked Mr. Storino.

B. Well Water Quality Testing Results – Joy Hoeffler, BACOG GIS Analyst

Ms. Hoeffler gave an overview of the semi-annual well water testing program and provided a summary of results from the September testing program. She distributed a Well & Septic Guide that BACOG created for residents.

Discussion

Board members provided comments including commendation for Executive Director Janet Agnoletti and how the well & septic guide will be helpful for residents. Discussion was held regarding Lake Barrington's high participation rate and informing residents of the testing program. Ms. Peterson indicated a link to the BACOG website for information and notification sign up for the March testing program is currently on the Village website.

C. Pre-application – Fidelity Motor Group

John Sfire, President of Fidelity Motor Group, distributed plans to the Board. He gave background information regarding himself, his business philosophy and his other company, Fidelity Group, which owns and manages commercial and office properties in Lake Zurich. He gave background and financial information regarding Fidelity Motor Group. He described his business plan to open a full line dealership with a service department at the former Saturn dealership property. He reviewed the proposed site plan which included a possible subdivision for a retail/commercial outlot building for restaurants and ingress/egress to the Flint Creek ProMed Building. He stated he would conform with Lake Barrington's standards and that he would support development of the Pepper Road corridor with plantings and/or irrigation.

He indicated Fidelity Motor Group is currently located in a TIF district in Palatine. He asked the Board to consider a 50% sales tax rebate not to exceed \$60,000 annually for a period of ten years.

Discussion

Comments were given and discussion was held regarding the proposed plans, the benefits the business would bring to the community, how well the Fidelity Group maintains its properties in Lake Zurich, need for traffic controls if access is provided through the parking lot to the Flint Creek ProMed Building, and their commitment to the Pepper Road corridor development.

Mr. Martin informed Mr. Sfire that Board approval of the transfer of a special use permit is a relatively easy process and that subject, as well as the sales tax rebate agreement would be placed on next month's agenda, and the subdivision would need to go through the Plan Commission process.

D. Other - Village Awarded BACOG Donald P. Klein award

The Village received notification the Open Space Initiative was chosen for the first-ever BACOG Donald P. Klein award. The posthumous award honors the former BACOG Executive Director Don Klein. The award recognizes excellence in a project or program that encourages public participation, follows an open process and provides long-term benefits to the community. The Open Space Initiative met criteria in four of five award categories: planning, environmental protection and enhancement, communications and citizen participation.

6. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD - NON AGENDA ITEMS

None

7. CONSENT AGENDA - None

8. TREASURER'S REPORT:

Mr. Purcell reported on the following:

- A. The tax levy ordinance is considered by the Board on an annual basis. Mr. Martin informed the Board the average tax increase is \$4-6 per household. The industrial park covers 60% of the tax levy increase thus taking the burden off of residential owners.
- B. For the first five months of the year, the General Fund shows net income of \$93,467 due to the collection of Real Estate Taxes and receipt of a portion of the Pepper Road signalization project reimbursement from IDOT. Net equity and fund balances were reviewed.
- C-D. The Accounts Payable Warrants have been reviewed and should be approved.

Board Action (A-D)

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

- A. Approve Ordinance No. 2010-O-17, a Tax Levy Ordinance for Fiscal Year 2010/2011.
- B. Approve the Financial Statements as of 9/30/10.
- C. Pay Bills in the amount of \$ 500,922.25 as Listed on the Accounts Payable Warrant "A" Dated November 3, 2010.
- D. Pay Bills in the amount of \$ 6,882.21 as Listed on the Accounts Payable Warrant "B" Dated November 3, 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.

9. ADMINISTRATOR'S REPORT

Mr. Martin reported on the following:

- A. Plan Commission Meeting Update: Two recommendations of the Plan Commission are on the agenda for Board consideration
- B. BACOA Contribution: BACOA expressed appreciation for the contribution the Village made to the organization following Ms. Palmquist's presentation.
- C. Road Work Update: Indian Trail Road replacement is underway and the asphalt patching project is completed.
- D. Other: None

10. CLERK'S REPORT

Ms. Peterson reported on the following:

- A. April 5, 2011 Consolidated Election: Candidate petitions are available at Village Hall during regular business hours. Petition filing dates were announced.
- B. Yard Waste Pick Up Ends November 24: Open burning regulations were announced. Trustee DeJesu emphasized fires are required to be put out by 6 p.m.
- C. Community Events: The last League of Women Voters of the Barrington area event was announced.

11. REPORTS OF STANDING COMMITTEES

- A.** Communications and Community Relations (C. Mitchell): Trustee Mitchell reported he Plans to meet with staff regarding social media policy and he suggested installing a message board at the corner of Kelsey and Old Barrington Roads.
- B.** Environment & Open Space (L. DeJesu); Trustee DeJesu thanked the Lake County Forest Preserves for purchasing the Hurd property and shared her experience at the open house held last month. She announced a Citizens for Conservation fundraiser. Upon inquiry regarding policy on access to Freier Farm, Mr. Martin explained the Farm is not set up for open public access yet and that the master plan will be completed subsequent to a traffic study.
- C.** Finance, Human Resources and Economic Development (D. Raclaw): No report.
- D.** Gated Communities (J. Schaller): Trustee Schaller reported the Village is considering involvement regarding the Common Interest Community Association Act. Mr. Martin updated the Board regarding the Tallgrass berm work which is 80% complete and will be finished in spring 2011.
- E.** Intergovernmental & External Relations (K. Richardson): President Richardson stated Mr. Storino provided the report earlier in the meeting.
- F.** Public Safety (J. Schaller): Trustee Schaller reported he and Mr. Martin met with representatives from the Village of North Barrington and the Lake County Sheriff to discuss contract renewal. He noted the Village has been served well and that the arrangement is mutually beneficial to the two Villages and the Lake County Sheriff Department. He will be attending an emergency planning session in Libertyville.
- G.** Roads and Infrastructure (A. Burke): Trustee Burke reported the Village had a productive year of drainage and roadway improvements. He commended Cuba Township Road District Tom Gooch, Mr. Martin and Gewalt Hamilton Associates for the collaborative effort to get the work done. The Village was able to hit the top priorities while maximizing value for the costs. A presentation of work implemented and proposed future work will be given at a future meeting.
- H.** Village Hall and Grounds (C Schofield): Mr. Martin indicated he already reported on the Freier Farm master plan earlier and he is filing an insurance claim for the roof damage experienced at Village Hall during the wind storm.

12. OLD BUSINESS – NONE

13. ORDINANCES

A. CONSIDERATION OF AN ORDINANCE TO GRANT A SPECIAL USE PERMIT FOR A VEHICLE REPAIR SERVICE AT 16 (22293) HILLVIEW DRIVE – TRUCKMASTERS, INC.

Mr. Martin reported the Plan Commission at its meeting on October 28 voted unanimously to recommend approval of a special use permit to allow for the operation of Truckmasters, Inc., a truck/vehicle repair service, at 16 (22293) Hillview Drive. He mentioned the location was previously a vehicle repair service and that no issues were found during a fire inspection this week.

Daniel Bendix, owner of Truckmasters, Inc., provided background information regarding his company.

Discussion

Upon inquiry, it was noted a resident from the subdivision located behind the business attended the Plan Commission meeting and that there is a triple catch basin installed. Mr. Bendix

briefed the Board on his oil disposal procedure.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Mitchell to pass Ordinance No. 2010-O-16, an Ordinance Granting a Special Use Permit to Permit a Vehicle Repair Service and Garage on the Property at 22293 Hillview Drive (Also Known as 16 Hillview Drive).

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 TO AMEND VILLAGE CODE – GENERAL PENALTY

Mr. Bateman informed the Board that earlier this year, the Illinois Appellate Court held in the case of Village of Wheeling v. Evanger Dog and Cat Food Company that in a municipal ordinance prosecution case, a court can only impose an order of supervision on a defendant if the municipality's ordinances authorize such a disposition. He recommended having a provision in the Ordinance that the penalty provisions in the Village Code be amended to provide for such dispositions in municipal ordinance violation cases.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Schofield to pass Ordinance No. 2010-O-18, an Ordinance Amending the Village of Lake Barrington Village Code (Re: Amendment to Section 1-4-1, "General Penalty", of Chapter 4 of Title 1).

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 ORDINANCE TO AMEND VILLAGE CODE - PROHIBIT BARBED WIRE & ELECTRIC FENCES

Mr. Martin indicated the ordinance clears up conflicting sections of the municipal code and prohibits the use of barbed wire or electric fences, except within the countryside or agricultural overlay district. Upon inquiry, Mr. Bateman advised the ordinance does not apply to electric dog barriers and that it applies to fences as above-ground structures.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee DeJesu to pass Ordinance No. 2010-O-19, an Ordinance Amending the Village of Lake Barrington Village Code (RE: Title 4, "Police Regulations", of Chapter 1, "General Offenses", Section 4-1-3-6: "Barbed Wire, Electric Fences").

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 AN ORDINANCE TO AMEND THE ZONING CODE:
TEMPORARY USES**

Mr. Martin reviewed that as requested by the Village Board, the Plan Commission met on October 28 and voted unanimously to recommend amendments to the Zoning Code to create a new "Section 8-3-10, Temporary Uses", that provides standards for the following:

- Trailers
- Tents
- Portable Storage Units
- Dumpsters
- Special Events

Mr. Bateman briefed the Board on the permitting standards.

Board Action

A motion was made by Trustee Raclaw and seconded by Trustee Mitchell to pass Ordinance No. 2010-O-20, An Ordinance Amending Title 8 of the Village of Lake Barrington Village Code (RE: Chapter 2, "Definitions", and Chapter 3, "Establishment and Interpretation of Zoning Districts", New Section 8-3-10, "Temporary Uses").

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. RATIFICATION OF AMENDMENT TO CONTRACT WITH GESKE & SONS, INC FOR
ADDITIONAL ROAD MAINTENANCE SERVICES**

Mr. Martin reported the Roads Committee recommended amending the contract with Geske & Sons, Inc. to include extensive patching services this fall. This allowed the Village to take advantage of favorable pricing and to help boost the integrity of roads that were affected by several harsh winters and are scheduled for resurfacing several years from now. The \$100,000 infrastructure improvement grant freed up funding that otherwise would have paid for the Indian Trail Road project. The following subdivisions and road were included in the contract amendment:

1. Harbor Road (south of 22)
2. Savannah
3. Pine Hills
4. Tanglewood
5. Kelsey Farms
6. Chesapeake
7. Barrington Harbor

Board Action

A motion was made by Trustee Burke and seconded by Trustee Schofield to ratify amendment to the contract with Geske & Sons, Inc to include patching services not to exceed the amount of \$69,562.

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 AMENDED RESTATED AGREEMENT WITH THE VILLAGE OF FOX RIVER GROVE – WATER & SEWER SERVICES

President Richardson announced this item was tabled.

15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

None

16. CLOSED SESSION

President Richardson announced the Board would not have closed session.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

The Board did not have closed session.

18. OTHER

None

19. ADJOURNMENT: A motion was made by Trustee Schaller and seconded by Trustee Mitchell to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 8:57 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary