

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD DECEMBER 7, 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, December 7, 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

President Richardson called for a moment of silence following the pledge in honor of the veterans on Pearl Harbor Day.

4. CONSIDERATION OF MINUTES

- A. Minutes of the Special Meeting of the Committee of the Whole held November 3, 2010
- B. Minutes of the Regular Meeting held November 3, 2010

Board Action

A motion was made by Trustee Schaller and seconded by Trustee DeJesu to approve the minutes, in block, items 4A & 4B above. The voice vote was unanimous and President Richardson declared the motion carried.

5. PRESIDENT'S REMARKS (President Richardson)

- A. Community Health & Wellness Advisory Committee – Sherry Hana, Chairperson

- 1) Tips for Holiday Whole Health - Maripatt Abbott, CPCC

Maripatt Abbott, a local business owner who resides at 27753 Bridgewater Court, gave tips on how to reduce stress during the holiday season.

- B. Barrington Area Council of Governments (BACOG) Donald P. Klein Award

President Richardson announced the Village of Lake Barrington was presented with the first-ever Donald P. Klein Award at the BACOG annual dinner in November and noted the Village is honored to receive the award. The award recognizes the Village's Open Space Initiative.

Janet Agnoletti, BACOG Executive Director, explained the criteria for the award and gave highlights of the BACOG dinner which also celebrated the organization's 40th anniversary.

Trustee Raclaw, who accepted the award at the dinner, shared his experience and thanked BACOG. He also commended Mr. Martin for preparing the nomination submission.

Ms. Agnoletti presented the Village with a framed BACOG groundwater program poster that won first place at the Illinois GIS Association conference.

The Board proceeded with Agenda Item 7B.

C. Other: None.

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

None

7. CONSENT AGENDA

A. Approve the Village Board and Plan Commission 2011 Regular Meeting Schedule

B. Approve the 2011 BACOG Legislative Platform

A Legislative Report and proposed 2011 BACOG Legislative Platform were distributed with the Board folder. Ms. Agnoletti reviewed highlights from the BACOG Legislative Report and acknowledged President Richardson's and Trustee Raclaw's participation on the BACOG Legislative Committee.

President Richardson mentioned how the legislative platform items help protect the Village's state shared revenues and its local authority. Ms. Agnoletti reviewed several points from the proposed platform and spoke about the 2011 BACOG groundwater monitoring project.

Discussion

Board members thanked Ms. Agnoletti for her work and made comments regarding BACOG's benefits and good value for the community. Discussion was held regarding status of the Canadian National issue, comprehensive pension reforms, and groundwater education for residents. Ms. Agnoletti touched upon the process to develop the legislative platform process.

The Board proceeded with Agenda Item 13A following Ms. Agnoletti's presentation.

Board Action

A motion was made by Trustee Schofield and seconded by Trustee DeJesu to approve the Consent Agenda, items 7A and 7B above.

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:

Mr. Purcell reported on the following:

A. At mid-fiscal year, the general fund shows a net loss of \$116,396 due mainly to expenditures for road improvements. However, more payments are due from IDOT to reimburse the Village for the

Pepper Road/Route 14 signalization project. A report will be prepared outlining the road program for presentation to the Board. Net equity and fund balances were reviewed.

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

Board Action (A-C)

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

- A. Approve the Financial Statements as of 10/31/2010.
- B. Pay Bills in the amount of \$ 316,987.84 as Listed on the Accounts Payable Warrant "A" Dated December 7, 2010.
- C. Pay Bills in the amount of \$ 20,403.93 as Listed on the Accounts Payable Warrant "B" Dated December 7, 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

No report.

10. CLERK'S REPORT

Ms. Peterson reported on the following:

- C. Holiday Garbage Pick-Up Schedule & Disposal of Holiday Decorations
- D. April 5, 2011 Election - Candidate Petition Filing December 13-20, 2010
- E. Newsletter
- F. Other: Announcements were made regarding local events.

11. REPORTS OF STANDING COMMITTEES

- A. Communications and Community Relations (C. Mitchell): Trustee Mitchell reported he will be working with Trustee DeJesu on educating residents regarding water use as discussed earlier in the meeting. He is working on social media policy, examining placement of a public information sign outside of Village Hall, and he proposed putting officials' biographies on the website.
- B. Environment & Open Space (L. DeJesu): Trustee DeJesu asked residents not to feed the wildlife, because it attracts coyotes and skunks.
- C. Finance, Human Resources and Economic Development (D. Raclaw): Trustee Raclaw indicated the Board will be discussing personnel during executive session and that the Fidelity Motor Group was discussed earlier in the meeting. He is talking to Mr. Martin about the future direction with the business park.
- D. Gated Communities (J. Schaller): Trustee Schaller noted an issue will be discussed during closed session.
- E. Intergovernmental & External Relations (K. Richardson): President Richardson reported he is a new member of the U.S. Conference of Mayors Water Summit and will be giving a presentation to the Mayors' Water Summit. He noted the Village does not pay for his travel to the conference.
- F. Public Safety (J. Schaller): Trustee Schaller stated the contract with the Lake County Sheriff for police services will be considered later in the meeting.
- G. Roads and Infrastructure (A. Burke): Trustee Burke deferred to Mr. Martin who reported on infrastructure work in progress and projects recently completed.

- H. Village Hall and Grounds (C Schofield): Trustee Schofield asked President Richardson if the Board could proceed with the agenda items related to Village properties. The Board proceeded with Agenda Items 14D and 14F.

12. OLD BUSINESS – NONE

13. ORDINANCES

A. CONSIDERATION OF AN ORDINANCE APPROVING THE ASSIGNMENT FROM SATURN TO FIDELITY MOTOR GROUP, LLC OF A SPECIAL USE PERMIT AND AN ORDINANCE EXECUTING AN ECONOMIC INCENTIVE AGREEMENT

Mr. Martin mentioned the Fidelity Motor Group appeared at last month's meeting on a pre-application basis to propose operation of a pre-owned luxury vehicle dealership at the former Saturn site (28214 Northwest Highway). They will be making improvements to the building and grounds including an additional service bay, signage and landscaping. The previous special use permit may be transferred via ordinance to the operator of a similar use as proposed. The incentive agreement provides for a rebate of 50% of the collected sales tax up to a maximum of \$60,000 per year.

Discussion

Board members individually welcomed Mr. Sfire and Mr. Grund to the Village of Lake Barrington. Upon inquiry, Mr. Sfire replied the business grossed approximately \$11.5-12 million dollars in its first six months of operation at its Palatine location and is anticipating annual gross revenue of \$25 million dollars. He plans on adding service in Lake Barrington, which is not available at his current location. Board members who visited the Palatine dealership commented on their positive impressions. It was noted establishment of the business is a win-win for the Village and Fidelity Motor Group. President Richardson stated the Village is looking forward to its partnership with Fidelity Motor Group. Mr. Sfire commended the Village for the professionalism portrayed by the staff and courtesy of the officials.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Mitchell to pass, in block:

- 1) Ordinance No. 2010-O-21, an Ordinance Approving and Consenting to the Assignment to Fidelity Motor Group, LLC of a Special Use Permit Authorizing an Automobile Dealership for the Sale and Servicing of Cars and Light Trucks as Granted By Ordinance No. 95-O-5 and a Zoning Variation Granted for a Ground Sign as Provided by Ordinance No. 2003-O-15 Relative to the Property at 28214 W.Northwest Highway and 21875 North Pepper Road; and
- 2) Ordinance No. 2010-O-22, an Ordinance Approving and Authorizing the Execution of a Certain "Economic Incentive Agreement Between the Village of Lake Barrington and Fidelity Motor Group, LLC".

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.

A five minute recess was taken at 8:07 p.m., and upon reconvening, the Board returned to Agenda Item 6.

14. NEW BUSINESS

A. CONSIDERATION OF A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR CONTRACT POLICE SERVICES BY AND AMONG THE VILLAGE OF LAKE BARRINGTON, THE VILLAGE OF NORTH BARRINGTON, THE COUNTY OF LAKE, AND THE LAKE COUNTY SHERIFF

Trustee Schaller informed the Board the contract with Lake County is in cooperation with the Village of North Barrington. He and Mr. Martin met with representatives from the Village of North Barrington and the Lake County Sheriff's Department to discuss renewal. He commented that the intergovernmental agreement is an advantageous arrangement for all of the parties and he commended the Lake County Sheriff's service.

Mr. Martin advised the Board the contract provides for a 4% increase in cost annually over a three year term. He commended the Lake County Sheriff for their communication with the Village and their handling of major events that needed a high degree of expertise. The Village is receiving a good value. The contract is contingent on North Barrington passing a similar action. Mr. Martin will report back if they decide at their December Board meeting not to proceed with this contract.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Raclaw to adopt Resolution No. 2010-R-17, a Resolution Approving an Intergovernmental Agreement for Contract Police Services By and Among the Village of Lake Barrington, the Village of North Barrington, the County of Lake, and the Lake County Sheriff.

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 EXTENSION OF CONTRACT AND AMENDED COMPENSATION FOR LOBBYING SERVICES - FIDELITY CONSULTING GROUP

Mr. Martin informed the Board the contract with Fidelity Consulting Group for lobbying services expires December 31, 2010. The Agreement to Amend Lobbying Services Agreement extends the term of the contract to December 31, 2011 and increases the annual compensation to \$36,000 from \$24,000 beginning January 1, 2011. After investigation, Mr. Martin found the new compensation is in line with other communities. He outlined funding and other benefits the Village received through their efforts and listed future grants and issues the Village will be addressing in the future that would benefit from their services.

Discussion

It was confirmed Fidelity Consulting Group helped obtain \$830,000 in grants and appropriations. Discussion was held on the benefits and value the Village is receiving from their services, the cooperative efforts of Mr. Martin and Fidelity Consulting Group to get the good results, getting more reporting from the company, why the compensation is increasing 50% and concern expressed over the increase in the contract when staff wages were frozen and donations decreased. President Richardson explained Fidelity Consulting Group provided a discount for two years and that it was agreed that the results of their services and compensation would be reviewed at the end of that period. Further discussion regarding compensation followed.

It was noted Fidelity Motor Group, LLC has no relationship to Fidelity Consulting Group.

Board Action

A motion was made by Trustee Raclaw and seconded by Trustee Mitchell To Pass Resolution No. 2010-R-18, A Resolution Approving and Authorizing the Execution of an Agreement to Amend the Term and Compensation of Lobbying Services Agreement With Fidelity Consulting Group, LLC Relative to the Village's Environmental and Water Quality Policy and Transportation Policy.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

C. CONSIDERATION OF DISPOSAL OF PUBLIC RECORDS

Mrs. Peterson indicated the storage room is full and explained the purpose of the Local Records Act, the records disposal process, and past Village action related to records retention and disposal. A Records Disposal Certificate was submitted and approved by the Local Records Commission in October, and as advised by Mr. Bateman, staff is looking for approval for the destruction of records. She further explained that the Village would not be destroying all of the records listed on the certificate and that she will be following the recommendation of the Local Records Commission representative to re-inventory the records following the destruction of records and submit a new Application for Authority to Dispose of Local Records.

Discussion

Upon inquiry, Ms. Peterson confirmed Village staff has a procedure for scanning certain records for retention. Discussion was held on categories and types of records that will be disposed and retained.

Board Action

A motion was made by Trustee Mitchell and seconded by Trustee Burke to approve destruction of certain public records as per the discussion and for immediate destruction following the meeting.

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 CONTRACT FOR FREIER FARM TRAFFIC IMPACT STUDY

Mr. Martin reported the Village Property Task Force is working on a master plan for Freier Farm. A traffic impact study is required as part of the Freier Farm master planning process to determine the most appropriate point for public access. Kelsey Road is under the jurisdiction of the Lake County Department of Transportation and the study meets requirements of LCDOT application for access.

Board Action

A motion was made by Trustee Schofield and seconded by Trustee Schaller to authorize the Village Administrator to enter into a contract with Gewalt Hamilton Associates for a Traffic Impact Study relative to the Freier Farm Access in an amount not exceed: \$10,300.

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 proceeded with Agenda Item 12.

E. CONSIDERATION OF EXTENSION OF LETTER OF CREDIT: ENCLAVE

Mr. Martin indicated the Enclave of Heritage Estates Subdivision's Letter of Credit in the amount of \$475,687.00 is expiring January 31, 2011. The improvements have not been completed to date. The Resolution grants an extension of the Letter of Credit to January 31, 2012, requires all improvements required in the subdivision be completed on or before September 1, 2011 and provides the Village with the means to draw upon the funds of the existing Letter of Credit if the Letter of Credit is not re-established by January 10, 2011.

Board Action

A motion was made by Trustee Burke and seconded by Trustee Schofield to Pass Resolution No. 2010-R-19, A Resolution Approving the Extension of Time For A Performance Guarantee – Enclave of Heritage Estates Subdivision.

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.

F. CONSIDERATION OF A CONTRACT FOR MASTER PLANNING SERVICES FOR GIBBS PARCEL

Mr. Martin summarized the Village Property Task Force recommends 3-D Design Studio, currently working on the Freier Farm Master Plan, to provide similar services relative to the Gibbs parcel which is jointly owned with Citizens for Conservation (CFC). The total cost is \$9,225 to be paid for via the open space fund.

Discussion

Mr. Bateman confirmed hiring a planner is an appropriate use of the open space funds, because it leads to public use of the properties. Discussion was held regarding the purpose of the study and intended use of the Gibbs parcel when it was purchased. Mr. Martin explained the master plan process answers the question of use and he mentioned CFC is participating in the planning discussion.

Board Action

A motion was made by Trustee Schofield and seconded by Trustee DeJesu to authorize the Village Administrator to enter into an agreement with 3-D Design Studio for Master Planning Services for the Gibbs Parcel not to exceed 110% of the quoted \$9,225.

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

None

President Richardson announced the Board would be taking action relative to compensation following closed session.

16. CLOSED SESSION

At approximately 9:20 p.m., a motion was made by Trustee Raclaw 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, Raclaw, Schaller, Schofield,
and President Richardson

Nays: None

Abstain: None

Absent: None

President Richardson declared the motion carried.

Ms. Peterson was excused at 9:27 p.m. during closed session.

The Board reconvened into Open Session at 11:00 p.m.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

A. CONSIDERATION OF A COMPENSATION ORDINANCE RE: VILLAGE ADMINISTRATOR AND STAFF

Discussion

President Richardson and Trustee Raclaw indicated the Village Administrator's performance evaluation was reviewed and he commended Mr. Martin's work and recognized the improved financial position of the Village and that salaries were frozen in 2008. He asked for a motion to pass the Ordinance with an amendment to Page 1, Paragraph B to provide the Village Administrator with an annual compensation increase of 2% of base pay and to approve merit bonus for the Village

Administrator in the amount of \$10,000, to award staff merit pay in the amount of 3.5% of base pay and to provide 2% staff increases in May of 2010 subject to further review.

Board Action

A motion was made by Trustee Schofield and seconded by Trustee Mitchell to pass Ordinance No. 2010-O-23, an Ordinance regarding the Village Administrator's compensation and to approve other staff compensation.

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.

18. OTHER

None

19. 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 11:10 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary

Christopher Martin
Village Administrator
Recording Secretary