

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD MAY 3, 2011**

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, May 3, 2011, and was called to order by President Richardson at 7:05 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 DeJesu, Mitchell, Raclaw, Schaller, Schofield, and President Richardson.

Absent: Trustee Burke

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 was not permitted to attend 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: Trustee Burke

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 April 6, 2011

Board Action

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

5. INAUGURATION OF NEWLY ELECTED OFFICIALS-THE HONORABLE DIANE E. WINTER

The Honorable Diane E. Winter officiated the inauguration of Trustees Raclaw and Schaller. Trustee-elect Burke will be sworn in at the next meeting

6. BRIEF RECESS

7. ROLL CALL OF MEMBERS

Upon the roll being called, the following Trustees were physically present at said location: Trustees DeJesu, Mitchell, Raclaw, Schaller, Schofield, and President Richardson.

Absent: Trustee Burke

8. PRESIDENT'S REMARKS (President Richardson)

- A. Other: President Richardson reported the Village would be meeting with the IEPA regarding the clean up of a property located in northern Lake Barrington.

Tanglewood resident and member of the Ethics Commission, Dr. Joseph Giangrasso, is featured in a Barrington Quintessential article.

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

None

10. CONSENT AGENDA

- A. A Resolution Designating June as "Leave No Child Inside" Month
Board members commented on the importance of getting children outside to play and explore.
- B. Approve the BACOG Budget for FY 2011-2012
Consideration of the BACOG budget was postponed for further review by its executive board.

Board Action

A motion was made by Trustee Schofield and seconded by Trustee DeJesu to approve the Consent Agenda, item 10A above.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

11. TREASURER'S REPORT:

Mr. Purcell reported the following:

- A. At the end of eleven months, the Village shows a net loss of \$72,209. A brief summary of non-MFT road repairs and funding was given. The state owes \$154,767 for past due state income tax allocations. Village Accountant Vernon is putting efforts toward collecting amounts due to the Village from developers and petitioners. The auditor is beginning field work on July 11.

President Richardson spoke about the importance of the existence and planned use of the Village's "rainy day fund", the past due state payment, efforts to eliminate the Local Government Distributive Fund (LGDF) and the serious fiscal impact it would have on municipalities.

- 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 Mitchell to consider by omnibus vote and:

- A. Approve the Financial Statements as of 03/31/2011.
B. Pay Bills in the amount of \$ 160,849.92 as Listed on the Accounts Payable Warrant "A" Dated May 3, 2011.
C. Pay Bills in the amount of \$ 2,825.95 as Listed on the Accounts Payable Warrant "B" Dated May 3, 2011.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

12. ADMINISTRATOR'S REPORT

Mr. Martin reported on the following:

- A. The FY 2012 Financial Plan will be considered for approval at the June 8 Board meeting.
- B. Freier Farm Open House is scheduled for May 10 for residents to view the master plan and provide comments.
- C. CFC Gibbs Property Two Acre Parcel Purchase will be completed pursuant to the option agreement.
- D. Other: Damian Sepanik, owner of the property where the Port Barrington Bar and Grill and marina are located, explained that he is in the process of trying to sell his Kazimour Road property to the business owner. He discovered his property is split between Port Barrington and Lake Barrington and is coming forward to see if the Village would consider de-annexing its portion which is undeveloped.

Mr. Bateman advised the Village Board regarding disconnection and that the Village should explore economic opportunities for this parcel. He provided the history of how the property got split between the two municipalities and affirmed President Richardson's suggestion to refer the matter to the Plan Commission.

Board Discussion

Discussion was held on attributes of the property, past code enforcement issues, consideration of having the developed portion annexed into Lake Barrington, having the property owner go through the public hearing process, and a request by the officials to view the property before providing reaction to the request. Mr. Sepanik responded to the discussion by stating the business owner is used to dealing with Port Barrington and offered to facilitate a tour of the property.

The matter will be placed on a future agenda to allow members of the Board to inspect the property.

13. CLERK'S REPORT

Ms. Peterson reported on the following:

- A. Next Regularly-Scheduled Board Meeting Wednesday, June 8, 2011
- B. Waste Management Observed Holiday – Memorial Day
- C. Other: Community events were announced.

President Richardson announced Trustee Schofield is being honored on May 18th with her induction into the BACOA Hall of Fame.

14. REPORTS OF STANDING COMMITTEES

- A. Communications and Community Relations (C. Mitchell): Trustee Mitchell is working on social media policy to be considered by the Board and examining options for potential signage to be erected at Kelsey and Old Barrington Roads to announce Village news.
- B. Environment & Open Space (L. DeJesu): Trustee DeJesu announced the Citizens for Conservation annual shrub, tree and plant sale. She also informed the Board that Lake County Forest Preserves will provide a tour of the Hurd Property upon request. Upon inquiry, she indicated the newly installed rain garden on the east side of Village Hall flourished better than expected last year.

- C. Finance, Human Resources and Economic Development (D. Raclaw): President Richardson will be meeting with Trustee Raclaw to discuss the economic development plan he is working on with the consultant. A joint meeting among the Board of Trustees, Plan Commission and Zoning Board of Appeals will be scheduled to incorporate economic development with the comprehensive plan. Trustee Raclaw added the FY2012 Financial Plan will be considered at the next Board meeting.
- D. Gated Communities (J. Schaller): Trustee Schaller addressed the newspaper articles regarding the Lake Barrington Shores Golf Course and provided an update regarding the homeowner's association consideration of purchasing the golf course. He announced the dates and times of the LBS garage sale and noted it will be open to the public.
- E. Intergovernmental & External Relations (K. Richardson): President Richardson reported on Village efforts to work with the IEPA to get funding to clean up a dump site located in northern Lake Barrington.
- F. Public Safety (J. Schaller): No report.
- G. Roads and Infrastructure (A. Burke): Mr. Martin reported the Village is beginning road and drainage work in Farm Trails in a couple of weeks.
- H. Village Hall and Grounds (C Schofield): The Village Property Task Force is working on the Freier Farm Planning Open House scheduled for on May 10.

15. OLD BUSINESS

A. CONSIDERATION OF PARK DISTRICT PROPOSAL FOR SPLASH PARK - VILLAGE HALL GROUNDS

Mr. Martin reported the Board considered this splash park concept at its August 2010 meeting and referred the concept to the Plan Commission for further review. The Commission unanimously recommended the installation of the splash park as proposed, conditioned on engineering and permit review.

He provided a description of the splash park, how it operates, and other proposed structural additions including a new building next to the splash park to house a full season toilet facility and pump house as well as an improvement to the picnic pavilion. The Park District will be reaching out to Lake County Forest Preserves to participate in the washroom facility.

Board Discussion

Discussion was held regarding liability and maintenance of the proposed infrastructure and existing Park District's amenities. Mr. Bateman addressed inquiries regarding Village liability and outlined conditions for maintenance and indemnification that should be included in the intergovernmental agreement with the Park District.

Mr. Martin indicated the Village would require engineering and site development permits and that the project would be eligible for park impact fees held by the Village. With this available funding, he recommends the Park District use higher quality materials for the project. He also explained the elements of the Plan Commission review.

President Richardson asked the Board to individually email Mr. Martin with a list of questions to address to the Park District. He also directed Mr. Martin to invite Plan Commission Chairperson Lange and a Park District representative to the next meeting.

Board Action

There being no objections, the item was tabled to June 8 to allow Trustees to provide questions to the Village Administrator to forward to the Park District for consideration on June 8.

16. ORDINANCES

A. CONSIDERATION OF AN ORDINANCE TO APPROVE A TEXT AMENDMENT AND SPECIAL USE PERMIT - NATURE'S SELECT PET PRODUCTS - 22266 (aka 22272) W. PEPPER ROAD

Mr. Martin summarized the Plan Commission voted to unanimously recommend approval of a text amendment and special use permit to allow for the operation of a dog training and daycare facility at the existing Nature Select retail operation, 22266 aka 22272 W. Pepper, Units A and B.

Chris Olson of Nature's Select Pet Products described services the dog training facility expansion would provide and that the dog day care would be set up in the future.

Board Discussion

Board members commented on the benefit of dog day care and wished the business well. Upon inquiry, Ms. Olson stated the day care would be capped at 40 dogs with one trainer per 6-7 dogs and that Nature's Select has discussed the proposed expanded services with their next door neighbor.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee DeJesu to pass Ordinance No. 2011-O-08, an Ordinance Amending Title 8, "Zoning Regulations", of the Village of Lake Barrington Village Code (RE: Section 8-2-2, "Definitions", and Section 8-4-6, "M Manufacturing and Industrial District") and to pass Ordinance No. 2011-O-09, an Ordinance Granting a Special Use Permit to Authorize Dog Training and Dog Day Care Uses on the Property of Petelle Realty, Ltd. at 22266 (a/ka 22272) N. Pepper Road.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

B. CONSIDERATION OF AN ORDINANCE TO GRANT A SPECIAL USE PERMIT – RANDY'S AUTOMOTIVE – 28022 (aka 28034) INDUSTRIAL AVENUE, UNIT 3

Mr. Martin stated the business owner was not in attendance and reported the Plan Commission unanimously recommended approval of a special use permit to allow for the operation of Randy's Automotive, a small boutique auto repair business that specializes in antique vehicles at 28022 aka 28034 W. Industrial Avenue, Unit 3. He outlined the conditions of the Ordinance.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Raclaw to pass Ordinance No. 2011-O-12, an Ordinance Granting a Special Use Permit to Permit a Vehicle Repair Service and Garage on the Property at 28022 (aka 28034) W. Industrial Avenue, Unit 3.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

C. CONSIDERATION OF AN ORDINANCE TO GRANT A SPECIAL USE PERMIT – CDJ TRANSMISSIONS – 28022 (aka 28034) INDUSTRIAL AVENUE, UNIT 2

Mr. Martin reported the Plan Commission at its meeting on April 28 voted unanimously to recommend approval of a special use permit to allow for the operation of CDJ Transmission, a small scale transmission repair business at 28022 aka 28034 W. Industrial Avenue, Unit 2. He reviewed the conditions of the Ordinance.

The business owner, Giuseppe Lorusso, explained he provides his service to other garages and dealerships.

Board Discussion

Upon inquiry, Mr. Lorusso explained the fluid disposal procedure he has been using in lieu of the absence of a triple basin drainage and confirmed a fire alarm system will be installed. Board members welcomed him and his business to Lake Barrington.

Board Action

A motion was made by Trustee Mitchell and seconded by Trustee Raclaw to pass Ordinance No. 2011-O-10, an Ordinance Granting a Special Use Permit to Permit a Vehicle Repair Service and Garage on the Property at 28022 (aka 28034) W. Industrial Avenue, Unit 2.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

D. CONSIDERATION OF AN ORDINANCE TO GRANT A SPECIAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT AND AN AMENDED AND RESTATED SPECIAL USE – FIDELITY MOTOR GROUP - 28214 NORTHWEST HIGHWAY/21875 PEPPER ROAD

Mr. Martin reported Mr. John Sfire, owner of Fidelity Motor Group, is requesting a special use permit to allow for a Planned Unit Development (PUD) to encompass the relief provided over the years to the properties located at 28214 W. Northwest Highway and 21875 N. Pepper Road. The ordinance combines and incorporates all of the relief given to former dealerships located at this site into a single PUD to include signage, access, and provisions for future development. The petitioner's requests for the creation of the PUD along with a digital reader sign to be located within the footprint of the existing ground sign were unanimously approved by the Plan Commission at its meeting on April 28.

Mr. Sfire indicated the digital reader sign will be located in the footprint of the current Saturn sign and that it will provide time, temperature and sales information. He is working with the owners of the Flint Creek ProMed building for cross-access through the dealership property. He reported on the improvements made at the property and the anticipated opening of the business.

Board Comment

President Richardson offered to facilitate discussion regarding the cross access, if needed, and suggested having a ribbon cutting ceremony.

Comments were made regarding the benefits of a PUD and support for providing access to Flint Creek ProMed building. Upon inquiry, Mr. Sfire provided more information about the size and illumination of the digital reader sign. He affirmed the Village is the most business-friendly community he has dealt with.

Board Action

A motion was made by Trustee Mitchell and seconded by Trustee Schofield to pass Ordinance No. 2011-O-11, an Ordinance Granting a Special Use for a Planned Development and an Amended and Restated Special Use to Authorize a Vehicle Dealership for the Sale of New and Used Vehicles, Vehicle Repairs and Service, and Vehicle Washing and Detailing Uses by Fidelity Motor Group, LLC at 28214 West Northwest Highway and 21875 N. Pepper Road.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

D. CONSIDERATION OF AN ORDINANCE TO AMEND FEES

Mr. Martin indicated the Village periodically reviews its permit fees and he explained the need to increase the permit fees, because they were not broad or substantial enough to cover plan review and inspection costs. In the past, the Village was able to use larger projects to subsidize those costs. He reviewed changes and additions to classifications of permit fees and highlighted comparisons with other villages.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Schofield to pass Ordinance No. 2011-O-13, an Ordinance Amending the Village of Lake Barrington Village Code (Re: Title 1, Section 1-10-7, "Fees, Charges, and Other Amounts Payable to the Village" and Title 7, Section 7-2-2, "Application for a Permit").

Upon roll call the vote was:

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

President Richardson declared the motion carried.

President Richardson introduced, Becky Bateman, a new member of the Law Offices of James P. Bateman, Ltd.

17. NEW BUSINESS

A. CONSIDERATION OF QUOTE FROM 3D DESIGN STUDIOS FOR ASSISTANCE WITH OSLAD GRANT APPLICATION - FREIER FARM

Mr. Martin reported the Village's property task force has been developing Freier Farm master plan for community use. The projects incorporated into this plan are eligible for funding assistance via the Illinois Department of Natural Resources through an Open Space Land Acquisition and Development (OSLAD) grant. Staff is recommending the use of the current Village consultant, 3D Design Studios, for assistance in completing the OSLAD grant application. The Village will be seeking in the range of \$200,000-\$400,000. He provided information on the firm's background with grant applications.

Board Discussion

Discussion was held regarding sources of funding for the OSLAD and similar grants.

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 3D Design Studios for grant writing services not to exceed \$6,875.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

B. CONSIDERATION OF A RESOLUTION REGARDING CASH BOND FORFEITURE

Mr. Martin explained cash bonds may be forfeited to the Village if they have been unclaimed for two (2) years. The cash bonds included in the resolution remain unclaimed after thirty (30) days written notice was attempted via certified mail with the exception of the Tracy Group which notified the Village yesterday. The Resolution was amended to remove the last item, Tracy Group, in the amount of \$4,994.00.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Raclaw to Pass Resolution No. 2011-R-11, A Resolution Regarding Forfeiture of Cash Bond Deposit, as amended.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

18. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

None

President Richardson announced action would not be taken following Closed Session.

19. CLOSED SESSION

Board Action

At approximately 9:20 p.m., a motion was made by Trustee Schofield and seconded by Trustee DeJesu 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 DeJesu, Mitchell, Raclaw, Schaller, Schofield, and President Richardson.
Nays: None
Abstain: None
Absent: Trustee Burke

President Richardson declared the motion carried.

The Board reconvened at 10:02 with all members present as the original roll call.

20. ACTION TO BE TAKEN FROM CLOSED SESSION

None

21. OTHER

None

22. ADJOURNMENT: A motion was made by Trustee DeJesu and seconded by Trustee Raclaw to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 10:02 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary