

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD DECEMBER 6, 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, December 6, 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 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

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: None

Staff Present: Village Administrator Martin, Village Treasurer Purcell, and Village Clerk Peterson

Others Present: Village Attorney J. Bateman, Zoning Board Member Fortman and Plan Commission Chairperson Daulton Lange

3. PLEDGE OF ALLEGIANCE

Following the Pledge of Allegiance, Cuba Township Road District Commissioner Gooch approached the Board about co-hosting an electronics collection and document shredding event specifically for Lake Barrington residents in the afternoon on April 14, 2012 following a similar event in Lake Barrington Shores in the morning. He asked the Board to consider paying \$750-\$1,000 for the document shredder. He is proposing the same type of event to other northern BACOG communities.

4. CONSIDERATION OF MINUTES

A. Minutes of the Board of Trustees Meeting held November 1, 2011

Board Action

A motion was made by Trustee Schaller 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. BACOG Long-term Groundwater Level Monitoring Program – Janet Agnoletti, Executive Director, BACOG

Ms. Agnoletti stated BACOG is creating a network of monitoring wells to collect and share groundwater level data. The Village has a dedicated monitoring well that was installed by the Illinois State Geological Survey and is appropriate for electronic equipment to monitor the groundwater level. She provided a presentation which gave an overview of the program, need for data, sample of analysis products and other uses of the data, potential risks if levels are not monitored, water level projections, and equipment. She indicated Village participation would be \$4-5,000.

Board comments

Comments were made about the need for resident education regarding water use and conservation, how the data collection would support education and which other entities are participating and considering participation in the program.

B. Treetime Christmas Creations, Laurie Kane, Owner

Ms. Kane indicated Treetime Christmas Creations is a brand new business with no affiliation to the former business where they are located. She provided a presentation on what the business offers, events, activities, and opportunities for local charities to fundraise at the business. Board members individually praised and welcomed the owner and the business.

C. Village Officials – Appointments

President Richardson introduced and gave background information regarding Ms. Ambrose-Gerak. She is being recommended to replace Jack Wood who is relocating out of the area. Board members welcomed Ms. Ambrose-Gerak.

Board Action

A motion was made by Trustee Schofield and seconded by Trustee Mitchell to make the following reappointments and appointment, in block, items 5C-1 and 5C-2.

1) Motion to make the following reappointments:	
<u>Plan Commission</u>	<u>Zoning Board of Appeals</u>
2015 – Rick Delisle	2015 – Chair, Rick Delisle
2015 – Alan Mackenzie	2015 – Francis Fortman
2015 – Frank Menconi	2014 – Dale Hallerberg
2015 – Mark Wrezeszcz	2014 – Bob Henehan
	2014 – Jim Austgen
<u>Ethics Commission</u>	2014 – Susan Beattie
2012 – Chair, Rick Lovett	
2012 – Dr. Joseph Giangrasso	
2012 – Lorenzo Pizarro	
2) Motion to make the following new appointment:	
<u>Plan Commission</u>	
2015 – Mary Ambrose-Gerak	

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.

3) Village Clerk Peterson administered the Oath of Office for Plan Commission Member Mary Ambrose-Gerak.

D. Other: Janet Meyer, Executive Director, Barrington Area Chamber of Commerce, provided highlights of the organization's inaugural manufacturing summit and noted Lake Barrington has one of the few industrial parks in the Barrington area. Mattson Witt, a 20-year Lake Barrington business, was recognized at the event with the first ever BACC Export Award. Jeff Witt, Owner, was introduced and congratulated by the Board.

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 2012 Regular Meeting Schedule
Ms. Peterson provided information regarding some of the meeting dates.

B. Approve the 2012 BACOG Legislative Platform
Trustee Raclaw congratulated and commended Ms. Agnoletti for giving a voice for the Barrington area.

Board Action

A motion was made by Trustee Mitchell 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 the following:

A. The first six months showed net income of \$223,908. Sales tax revenues are \$47,000 higher than a year ago mostly due to sales at Fidelity Motor Group. Application of the Pepper Road project funding was explained. ComEd project expenses, monies due from the State, and equity and fund balances were reported.

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

Board Discussion

Comments were made regarding the Village's stronger financial position compared to last year and inquiries answered related to the ComEd Route 59 project.

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 10/31/11.
- B. Pay Bills in the amount of \$ \$ 160,708.41 as Listed on the Accounts Payable Warrant "A" Dated December 6, 2011.
- C. Pay Bills in the amount of \$ 39,366.67 as Listed on the Accounts Payable Warrant "B" Dated December 6, 2011.

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. Electric Aggregation Report: Staff reviewed that the Village is unique in that 58% of the households are located in a gated community which has electric heat and is already receiving a discounted rate lower than what is provided by municipal aggregation. Staff recommended not to seek community-wide aggregation and to inform residents of non-aggregation options which will provide discounted rates.

B. Other- none.

10. CLERK'S REPORT

Ms. Peterson reported on the following:

- A. Holiday Garbage Pick Up Schedule
- B. 2012-2013 Vehicle Stickers: Following the announcement of the new stickers, inquiries were answered as to why stickers are not mandatory and why they are offered.
- C. Other-none.

11. REPORTS OF STANDING COMMITTEES

- A. Communications and Community Relations (C. Mitchell): Trustee Mitchell gave a presentation on "Branding Ideas for 2012 Communications and Community Relations Strategy." The presentation provided branding concept ideas and conduits for messaging.
- B. Environment & Open Space (L. DeJesu): Trustee DeJesu provided information about the CFC winter volunteer schedule and spoke of the work involved in removing buckthorn. The Village is receiving a Native Landscaping and Conservation Award from the USEPA and Chicago Wilderness at a reception tomorrow. She recognized the work being done by LBS residents who are removing buckthorn in the Grassy Lake Preserve along Miller Road.
- C. Finance, Human Resources and Economic Development (D. Raclaw): Trustee Raclaw noted the audit was presented last month and congratulated Mr. Purcell, Ms. Vernon and Mr. Martin for a job well done. Houseal Lavigne is conducting the business park market analysis. The Committee will be meeting for the Village Administrator's annual review. Personnel is being discussed during closed session.
- D. Gated Communities (J. Schaller): Trustee Schaller reported the Board already discussed the ComEd lines and expressed gratitude on behalf of LBS and people who travel on Route 59 for the Village's participation in burying the lines. Phase 1 of the Tallgrass berm work will be concluded after the burn is conducted, which was delayed due to inclement weather. It was noted money is in reserve to maintain the work. The LBS homeowners association has terminated discussions with Barrington Bank and Trust regarding the LBS Golf Club.
- E. Intergovernmental & External Relations (K. Richardson): President Richardson reported he participated in the U.S. Conference of Mayors Water Summit and that he brought Fox River Grove Village President Nunnemaker as his guest. He read an article from a local newspaper about a municipality that is considering ending its membership with BACOG and shared his thoughts regarding the matter. He reported on the status of the property clean up funding appropriated to the Village noting the IEPA signed the intergovernmental agreement and has begun obtaining contractors for the work. Fidelity Consulting is going to look into IDOT work proposed for safety related improvements at Route 22 and Old Barrington Road.
- F. Public Safety (J. Schaller): Trustee Schaller reported a Lake Barrington Shores emergency response planning meeting with first responders was held on November 15. The Village's Emergency Operations Plan, communication centers, mutual aid, siren alerts and emergency communications were reviewed. He reported Community Emergency Response Team (CERT) training is beginning in January and he suggested the Village consider creating a citizens corp. Inquiries regarding the fire protection district address number signs and the locational and gridding system were addressed by the Wauconda Fire District representative in attendance at the meeting.

- G. Roads and Infrastructure (A. Burke): Trustee Burke reported planning began for next year's infrastructure plan which includes a project in Chesapeake and work on Harbor Road.
- H. Village Hall and Grounds (C Schofield): Trustee Schofield reported on tiled floor maintenance. The Village Hall needs a new roof.

12. OLD BUSINESS

A. CONSIDERATION OF AN ORDINANCE TO GRANT A SPECIAL USE PERMIT FOR A VEHICLE REPAIR SERVICE AT 28147 COMMERCIAL AVENUE, UNIT 8 – MW AUTOWERKS, INC. d/b/a DEVO 2NING.

Mr. Martin reported the Plan Commission at its meeting on October 13 voted unanimously to recommend approval of a special use permit to allow for the operation of Devo 2ning, Inc., a vehicle repair service, at 28147 Commercial Avenue, Unit 8. The item was tabled from the November 1 meeting.

Mr. Terman, a representative managing member of the property owner, Sheridan Kenosha LLC, explained why the owners were contesting two requirements attached to the special use permit: 1) striping the parking lot and 2) landscaping at the rear of the property. He indicated the owners have plans to do parking lot maintenance that does not include striping.

Mr. Martin replied to Mr. Terman's objections noting the subject property is one of the few in the Business Park that does not have a striped parking lot and that the tenant uses are not industrial uses including the petitioner's business and a martial arts school which draws children to the building. He further explained the Village's Zoning Code includes design standards for the Business Park such as landscaping and that the Special Use Permit process addresses impacts on adjacent properties. Mr. Martin pointed out that since the owners already have plans to do parking lot work, the striping would add an incremental cost to the project. The subject property's proposed use necessitates striping and the Plan Commission has required striping as a condition of such Special Use Permits in the past.

Mr. Martin recommended the Board accept the Plan Commission recommendation.

Mr. Bateman advised the Board that the Village Code requires parking lot striping; indicated he felt comfortable with defending in court the conditions set forth as they enhance public health and safety and are authorized by recommendations of the Plan Commission; and further explained the Village's home rule authority also allows it to impose these conditions.

Mr. Terman stated the owners would comply with the condition to stripe the parking lot.

Mr. Bateman provided options for Board action if Mr. Terman refused to accept all of the conditions set forth by the Plan Commission after Mr. Terman replied upon inquiry that the owners refused to accept the condition to landscape the rear of the property.

Michael Moran, attorney for the petitioner, addressed the Board regarding possible action.

President Richardson called a recess at 8:34 p.m. and the Board reconvened at 8:40 p.m. with all members present as the original roll call.

Mr. Terman indicated the owners would accept and implement all of the conditions set forth in the Ordinance.

Board Action

A motion was made by Trustee Raclaw and seconded by Trustee Mitchell to pass Ordinance No. 2011-O-26, an Ordinance Granting a Special Use Permit to Allow for a Vehicle Repair Service and Garage on the Property at 28147 Commercial Avenue, Unit 8.

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 business owners of Devo 2ning, Inc introduced themselves and were welcomed by the Board.

13. ORDINANCES

A. CONSIDERATION OF AN ORDINANCE AMENDING THE VILLAGE OF LAKE BARRINGTON CODE SECTION 1-10-7 FEES, CHARGES, AND OTHER AMOUNTS, RELATIVE TO LIQUOR LICENSE FEES – DISCOUNTED LICENSE FEE FOR CLASS B HOLDERS

Mr. Martin reported ZaZa’s restaurant, located in the Market Place, is requesting a Class H liquor license to sell package beer and wine from its restaurant, mainly bottled wine following tasting events. He reviewed the liquor licenses they currently hold. The current available Class H license (formerly with 7-11) is \$2,000 annually. Staff is recommending that a discount be applied to holders of Class B licenses if and when they wish to sell beer and wine as in this case. Staff recommends a \$500 fee as opposed to the \$2,000 in such situations. Mr. Bateman indicated that, if passed, the Village would be reissuing the Class H license to ZaZa’s at a discounted rate.

Daryl Voska, Co-owner of ZaZa’s Tavola Italiana, stated the license would be used for sales of bottled wine following wine dinners. There are no plans by the restaurant at this time to have retail sales of wine or sales of beer outside of these types of events. The business is expanding into a neighboring unit and will be opening its new party room before the end of the month.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Schofield to pass Ordinance No. 2011-O—27, An Ordinance Amending the Village Of Lake Barrington Village Code Section 1-10-7 Fees, Charges, and Other Amounts Payable to the Village.

Upon roll call the vote was:

Ayes: 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 A RESOLUTION GRANTING APPROVAL OF A FINAL PLAT OF CONDOMINIUM TO CREATE TWO CONDOMINIUM UNITS-28039 W. NORTHPOINTE PARKWAY

Mr. Martin reported the Plan Commission at its meeting on November 30 voted unanimously to recommend approval of subdivision for 28039 W. Northpointe Parkway. The petitioner is proposing to “subdivide” the existing building at 28039 W. Northpointe Parkway into two commercial condominium units. Additional future units (if created) would require additional public hearings. The Commission included a condition that only four overhead doors be permitted on the exterior of the building - two on the south and two on the east elevations.

Jay Goldberg, Attorney for the petitioner, and Rose Wageman, of FE Development, LLC and First Eagle Bank, were introduced. Upon inquiry, they indicated a gymnastics club would be moving into the PBI space and they explained FE Development LLC, the property owner, was formed by First Eagle Bank when it took over the building following foreclosure. Mr. Goldberg stated they are not creating residential condominiums.

Board Action

A motion was made by Trustee Raclaw and seconded by Trustee DeJesu to Pass Resolution No. 2011-R-22, Granting Approval Of A Final Plat Of Condominium - Northpointe IV Condominium.

Upon roll call the vote was:

Ayes: 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

16. CLOSED SESSION

Board Action

At approximately 10:00 p.m., a motion was made by Trustee Schaller and seconded by Trustee Schofield 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 and announced no action would be taken following Closed Session.

Mr. Martin and Ms. Peterson were excused and exited the meeting.

The Board reconvened at 11:00 p.m. with all members present as the original roll call.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

None

18. OTHER

None

19. ADJOURNMENT: A motion was made by Trustee Schofield and seconded by Trustee DeJesu to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 11:00 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary

James P. Bateman
Village Attorney
Recording Secretary