

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD SEPTEMBER 5, 2006**

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, September 5, 2006, and was called to order by President Pro-tem Vonder Haar at 7:00 p.m. Village Clerk Hoover was appointed Recording Secretary with the assistance of Administrator Martin due to medical reasons.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL OF MEMBERS

Upon roll call, the following were:

Present: Trustees DeJesu, Kipferl, Marshall, Schaller, Smith, and Vonder Haar

Absent: President Richardson (*arrived at 8:20 pm -see item 12-B on the agenda*)

Staff Present: Village Administrator Martin and Village Clerk Hoover

Others Present: Treasurer Purcell, ZBA Member Fortman, Attorney Bateman

4. CONSIDERATION OF MINUTES

- A. August 1, 2006 Special Committee of the Whole Meeting Minutes
- B. August 1, 2006 Regular Board Meeting Minutes

Board Action:

A motion was made by Trustee DeJesu and seconded by Trustee Schaller to approve by ominous vote the Minutes of the Special Committee of the Whole and Regular Meetings of the Board of Trustees held August 1, 2006, as amended. The voice vote was unanimous and the motion carried.

5. PRESIDENT'S REMARKS (President Pro-tem Vonder Haar)

President Pro-tem Vonder Haar reported that President Richardson's plane was delayed in arrival and would be late to the meeting. She stated that the Village is moving forward with the Comprehensive Plan as it is scheduled to be heard by the Plan Commission.

6. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

(also see public comment during 12A, 12B, and 15)

RE: TALLGRASS SUBDIVISION

Person 1: Brad Schnack 25184 Cayuga Trail. Dr. Schnack stated as a 17-year resident he is visually appalled by the appearance of berming and fencing for the Tallgrass Subdivision along Kelsey Road. He stated that he finds it hard to believe that this is what the Plan Commission envisioned. He stated that after talking with the developer, he found that the eight foot (8') berm elevation was from the existing topography of the land prior to its development. Dr. Schnack stated that he is not opposed to development, but feels that it looks unnatural. Dr. Schnack referred to the berming as a "skyline" for River Road. Dr. Schnack invited the Trustees to drive south on River Road to view the project under construction. He referred to the berming as creative measuring and misleading, since the plans call for an 8' berm from the existing topography instead of from the level of the road, where it appears as high as twenty feet (20'). Dr. Schnack stated that the initial feedback from the Farm Trails residents was that they are appalled by the aesthetics. Dr. Schnack stated that he would be happy to pursue the circulation of a petition in opposition.

Person 2: Susan Schnack 25184 Cayuga Trail. Mrs. Schnack stated that she has resided in Lake Barrington for 18 years. She stated that the countryside has been ruined and any amount of landscaping would help. Mrs. Schnack stated that the Board has let the community down, has created a legacy, and she is embarrassed. She stated that it looks like the makings of a movie theater, penitentiary, or zoo. Mrs. Schnack challenged the Board to survey Lake Barrington residents. She stated that the Board should beg of the developer to modify the plans or live with a big mistake.

Person 3: Toni Tollesfsen 27071 W Wellington Ct. Mrs. Tollesfsen stated that she has been a resident of Wedgewood Trails for 11 years. She said that she is appalled by the horrific view of the berm and gate and that it ruins the countryside. Mrs. Tollesfsen stated that the countryside is one of the reasons she moved to Lake Barrington.

Person 4: Annette Nicollette 32 Rivers Bend. Ms. Nicollette stated that she is a twelve year resident of the Village and has known the developer since college. She referred to the berm and fencing as a “schlock” wall. Ms. Nicollette requested that the developer remove the fence from the berm. She stated that 90% of traffic has this area as their first impression of Lake Barrington. She stated that the non-natural materials would become a legacy of this Board and Plan Commission and she urged the Board to rectify it.

Person 5: Jeff Woolford 18 Rivers Bend. Mr. Woolford stated that he is a relatively new resident, having lived in Lake Barrington for three months. He stated that it was his wife and children’s dream to get away from the walls. He sad he was saddened that the barn was taken down on Kelsey Road. He asked if the berms appeared visually as high from the inside out. Mr. Woolford stated that the walls have to go and would agree to a petition to have them removed.

Person 6: Lisa Woolford 18 Rivers Bend. Mrs. Woolford stated that loves the semi-rural nature of the community and wall is against the resident survey results (referring to the Nov. 2005 community-wide survey). She stated that she hopes the Board hears the residents’ passion and pleas. Mrs. Woolford also referred to the Lake Barrington newsletter.

Village Administrator’s Comments & Board Discussion: Administrator Martin summarized the review process of the Tallgrass Subdivision as a courtesy to the public. Mr. Martin stated that the initial Petition was filed in March 2005. The first of four public hearings to review the preliminary plans was held on May 26, 2005. The berms, walls, etc. were reviewed by the Plan Commission during the preliminary hearings in October 2005. Moving forward, the Village initiated multi-stakeholder meetings, which included participation by agencies such as the State of Illinois, Lake County Forest Preserve, the Village’s environmental consultants, Illinois Department of Natural Resources, and a representative from the Farm Trails Homeowners Association, to ensure the protection of the natural environmental features, swales, and natural prairie grasses. After the conclusion of such meetings, the Plan Commission held public hearings in April and May of 2006 to consider the Final Engineering and Final Plat. The Village Board approved the subdivision on May 17, 2006, after 11 public hearings, 6 Plan Commission meetings, 2 meetings of the Board of Trustees, 3 technical review meetings, and numerous site tours. Mr. Martin stated that this was a lengthy and effective process which was exhaustive and expensive to the petitioner.

Administrator Martin stated that as the Plan Commission reviewed the development of the 110 acres, they considered 1) the layout and design, 2) environmental protection of the Wagner Fen, 3) landscaping, berms, trees, fencing, and screening, and 4) subdivision access.

In regards to the Plan Commission’s review of the hardscape and berming, Administrator Martin stated that they recommended approval of a precast concrete fence on the mile and a half perimeter of the property. The berming was discussed at most if not all of the hearings and there was significant public testimony. Administrator Martin stated that an 8’ undulating berm and a 4’ wall were approved. Mr. Martin stated that the developer has a most aggressive landscape plan that exceeds to the Village Code by 173% and includes 800 trees, 806 shrubs, prairie grasses and wetland plantings. He stated that the decision was not an “either – or” but rather a balance

between the developer and community. He stated that the petitioner brought forth effective testimony regarding traffic flow along River, Miller, and Kelsey Roads which would impact Tallgrass residents. They also compared their proposal to substandard berming and fencing in the area which included stock wire fencing and non-native landscaping. The Plan Commission's impression was a natural landscape plan variable through the seasons with wild flowers, 300 pine trees, etc. They also determined that any development would result in berming. In addition, Mr. Martin stated the Village Code does not prohibit or restrict walls height or dictate the slope of the berm.

Attorney Bateman responded to Trustee Smith and Kipferl questions about berm height, slope, and groundcover.

Administrator Martin stated that the review process was exhaustive and asked residents to preach patience as this is the messy phase of the job and is no indication of the final product. He stated that over time, the wall would be obscured by native grasses, shrubs, and landscaping.

Board discussion followed about the berm height, grade measurements. Administrator Martin stated that the developer was shooting topographical surveys earlier that day. He suggested holding off any further discussion until after the Village Engineer has an opportunity to review them. The berm measurements should be within 1 foot plus or minus the maximum height on plans. Board discussion continued about the berms not measured from the roads; rather it is based upon the pre-construction topography. Attorney Bateman stated that the development document must follow the approved Final Engineering. Administrator Martin stated that the 1 ½ miles are not flat and the engineering is being watched.

Testimony from Michael Graft Jr.: Mr. Michael Graft Jr. addressed the Board relative to the Tallgrass Subdivision. He reported that the berming was going up in two sections: Lots 1-16 in the southerly part of the subdivision and Lots 17-71 in the northerly part of the subdivision. He stated that the northerly portion's berm is not completed yet. They need to add organic soil in preparation for landscaping. Depending upon weather-related conditions, Mr. Graft stated that the landscaping should be in by the end of October. He stated that the Landscaping Plan would obscure the view of the wall differently as shown the spring rendering and fall rendering. He stated an example of the native grasses as those seen at the Onion Pub which are about six feet high. Mr. Graft continued with his testimony regarding the telephone and electric line poles, estimated 80 – 100% coverage, 700+ visible plantings, and future interior plants to be determined.

Administrator Martin added that the Plan Commission agreed with the Petitioner's testimony that it would be more appropriate to give the individual lot purchasers an open pallet for their own plantings from inside the wall.

In response to Trustee Schaller's question, Mr. Graft responded that he was not aware of any other development in the BACOG area similar to the berm, wall, and extensive landscaping planned for the Tallgrass Subdivision. Mr. Graft stated that he would be purchasing materials from multiple landscaping sources. Mr. Graft responded to Trustee Schaller's question about the weathering of the concrete wall. He stated that the wall is made of fiber cement that was structurally sealed by the manufacturer in Texas.

Mr. Graft proceeded with addressing the Board. He stated that the fencing materials has a 20 – 25 year warranty, the planting will be maintained by a professional management and replacement firm with the Homeowners Association responsible for the continued maintenance. (4 month basis inspection) Mr. Graft stated that a wetland consultant has been continuously inspecting the wetland areas. Mr. Graft stated that they cannot control environmental impacts from the salts and chlorides used by Lake County Division of Transportation for roads maintenance. He stated that a Special Service Area would be established so that if the Homeowners Association fails to maintain the subdivision, the Village can do it and back charge the associate. In regards to Trustee Smith's wall question from Outlot D to Lots 35, Mr. Graft stated yes, that the wall would continue to the North.

Person 4: Annette Nicollette 32 Rivers Bend. Ms. Nicollette asked what would happen if after ten years the association went away.

Village Attorney Comments: Village Attorney Bateman responded there is a condition to create a Special Service Area (SSA) with the right to maintain landscaping, perimeter walls, detention, and other quasi-public common areas if the Homeowners Association fails to do so. The SSA would be supported by a special tax base to subsidize costs and taxed only to those properties within the Tallgrass Subdivision. Attorney Bateman stated that almost every subdivision passed since 1987 has an established SSA. Administrator Martin stated that the Landscaping Plan is available for viewing and if there are problems with the as-built heights that they would be addressed. He stated that an example of the fencing is included with the Landscaping Plan.

Testimony from Michael Graft Jr.: Mr. Michael Graft Jr. stated that the fencing was purchased from a nationwide supplier and has been used in Texas, Florida, and Georgia. Mr. Graft stated that the Tallgrass Subdivision streets are privately owned.

Village Administrator's Comments: Administrator Martin reported on the allotted 1:1 slope, existing vegetation, berm with plantings, trees, prairie grasses and shrubs. Mr. Martin told the Board that the Village would be watching over the project and a report would be forthcoming at the October Board meeting.

7. TREASURER'S REPORT:

Treasurer Purcell reported on the following:

- A) **Tax Levy:** The Board received a copy of the proposed tax levy for consideration in October.
- B) **Financials as of 07/31/06:** The Village's revenues and financial condition were reported as the Village continues to build up the balances in the General Fund. Treasurer Purcell reported that the Performance Bonds portion of the building permits would be reviewed prior to refunding them back to the applicant. Treasurer Purcell also reported on debt collection and the Wedgewood Trails project/MFT Fund.
- C& D) **Warrants:** The warrants are in order and should be approved.

Upon the conclusion such discussion, the Board took action on items A-D (see below).

Board Action

A motion was made by Trustee Marshall and seconded by Trustee DeJesu to consider by ominous vote and:

- A. Pass Resolution No. 2006-R-21, a Resolution for the Estimate of the Amount of a Tax Levy in Compliance with the Requirements of the Truth in Taxation Act;
- B. Approve the Financial Statements as of 7/31/2006;
- C. Pay bills in the amount of \$164,230.06 as listed on Accounts Payable Warrant "A" dated September 5, 2006;
- D. Pay bills in the amount of \$2,631.74 as listed on Accounts Payable Warrant "B" dated September 5, 2006.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Kipferl, Marshall, Schaller, Smith, and President Pro-Tem
Vonder Haar
Nays: None
Abstain: None
Absent: President Richardson

President Richardson declared the motion carried.

8. CONSENT AGENDA

Administrator Martin read aloud a portion of the proposed proclamation relative to domestic violence and reported on the "Safe Place" Lake County Crisis Center.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Kipferl to approve a Proclamation naming National Domestic Violence Awareness Month as October 2006 in the Village of Lake Barrington. The voice vote was unanimous and the motion carried.

9. ADMINISTRATOR'S REPORT

- A. **ADA Doors Installed at Village Hall:** Administrator Martin reported on the installation of ADA compliant doors at the Village Hall.
- B. **Plan Commission Meeting September 14, 2006- Comprehensive Plan:** Administrator Martin announced that a proposed new Comprehensive Plan Public Hearing would be heard by the Plan Commission at their next meeting scheduled for September 14th.
- C. **Wedgewood Trails Resurface Project – Update:** Administrator Martin reported on the status of the Wedgewood Trails project.

10. CLERK'S REPORT:

Village Clerk Hoover announced that the most recent Village newsletter is available for viewing online at the Village's website.

11. REPORTS OF STANDING COMMITTEES

- A. **Building & Facilities:** Trustee Schaller reported that the ADA doors would be operational this winter, the roof leaks were repaired, and the wasp problem still exists on the playground.
- B. **Environmental Protection:** Trustee DeJesu warned residents to look out for the Emerald Ash Borer as it has been spotted in Wilmette. She also reported on water conservation and the amended Tree Preservation Ordinance.
- C. **Finance & Human Resources:** Trustee Smith reported that the budget calendar for 2008 would be discussed in November.
- D. **Good Shepherd Liaison & Community Outreach:** Trustee Kipferl reported on the following Good Shepherd Hospital events:
 - **Art in the Barn, 9/23-9/24**
 - **Gala, 9/16**
- E. **Intergovernmental Affairs:** President Richardson's was absent and left no report.
- F. **Public Safety & Emergency Planning:** Trustee Marshall recommended that the Village move forward with the review of the proposed Emergency Plan and amend and/or strike the signature section. Discussion followed. Administrator Martin reported on Lake Zurich Fire Department's Avian Flu program and emergency preparedness. Trustee DeJesu encouraged CPR training which helped save a child's life in our area. Trustee Marshall reported on the City of Chicago's emergency preparedness drill. Trustee DeJesu encouraged residents to visit the Red Cross website.
- G. **Public Works:** Trustee Vonder Haar reported that the Wedgewood Trails Subdivision project is finished and looks great. She stated that the committee would be reviewing next year's road program in the coming months. Administrator Martin commented about asphalt review to take place in early October.

1. Review of Lake County Transportation Summit Official Ballot: Administrator Martin distributed the following summary to the Board in their packets: A summit sponsored by the Lake County Transportation Alliance (LCTA) is scheduled for September 20 to prioritize lane addition projects on state roads in Lake County. The purpose of the summit is to provide a unified voice directed at moving capacity improvements forward on state roads. The LCTA will also forward the results of an advisory vote on the Route 53 extension.

Board Action: A motion was made by Trustee Kipferl and seconded by Trustee Marshall to designate Trustee Vonder Haar as voting member for the Lake County Transportation Alliance on behalf of the Village of Lake Barrington. The voice vote was unanimous and the motion passed.

H. Rules: No report.

I. Stormwater Management: No report.

J. Other Reports:

- 1) **BACOG:** Trustee Vonder Haar stated that one of the issues discussed at the last BACOG meeting was the Lake County Transportation Summit. BACOG encouraged municipalities to express their interests by voting and urged them to vote yes for the Route 53 extension.
- 2) **SWALCO:** Trustee Marshall encouraged residents to recycle plastic bags by returned them to retailers. He stated that there is an ongoing effort to help SWALCO financially with the current deficit.

12. ORDINANCES

A. CONSIDERATION OF AN AMENDED SPECIAL USE ORDINANCE REGARDING A NEW SIGN PACKAGE FOR THE MARKET PLACE SHOPPING CENTER

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: The Plan Commission at its meeting on August 24 unanimously recommended approval of a modified sign package for the Market Place shopping center. The Petitioner is requesting an amendment to the Special Use Permit for the Lake Barrington Shores Planned Unit Development to allow for modifications to the two existing pylon signs. The signs are located at the corner of Kelsey Road and Route 59 and on Kelsey Road at the entrance to LBS. The requested modification includes backlit signs installed on two sides of each existing pylon, similar to the current "Market Place" sign.

Public Comment

Mr. Edward James passed out a rendering of the proposed signage to the Board, which is attached hereto and incorporated into these minutes by reference. Mr. James stated that he was the developer of Lake Barrington Shores and the Market Place Center. He stated that as a representative of the owner and retail tenants, he is asking for consideration of two pylon signs to better identify the retail establishments while staying with the same character. Mr. James described the signage as approximately ten feet high, illuminated triangle, with flexible spaces to display tenant's logos. He stated that then the unsightly small realtor-style signs would be removed. Mr. James stated that he would like to encourage his tenants to be successful. Mr. James added that this is the only commercial/retail strip between Wauconda and Barrington on Route 59.

Discussion

Discussion followed. Trustee Schaller stated that the Lake Barrington Shores Homeowners Association is favorable to the proposal.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Schaller and seconded by Trustee Kipferl to pass Ordinance No. 2006-O-29 an Ordinance amending a Special Use Permit to the Lake Barrington Shores Planned Unit Development regarding the Market Place signage.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Kipferl, Marshall, Schaller, Smith, President Pro-Tem Vonder Haar
Nays: None
Abstain: None
Absent: President Richardson

President Pro-Tem Vonder Haar declared the motion carried.

B. CONSIDERATION OF A ZONING VARIATION ORDINANCE REGARDING 24172 GRANDVIEW DRIVE TO CREATE A BUILDABLE LOT

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: The Zoning Board of Appeals held a Public Hearing on August 24 and unanimously recommended approval of a variation to create a buildable lot at 24172 Grandview. The variation is required because the subject property was annexed to the Village with a lot width of 120 feet at its front building line. The Village requires 130 in the R-1 District; hence a variance of 10 feet or 8.3% is required. The ZBA conditioned their approval on the maintenance of a 13 foot minimum side yard setback. The lot is 51,442 square feet or 1.2 acres and complies with the minimum lot size requirements of the R-1 District. Administrator Martin stated that the hardship is that upon annexation the parcel became an unbuildable lot.

Public Comment

Mr. David Olson, addressed the Board as the representative on behalf of his parents. Mr. Olson stated that his parents purchased two lots back in 1963, which were both later annexed to the Village.

President Richardson arrived at 8:20 p.m. during the discussion of this item on the agenda.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Kipferl to pass Ordinance No. 2006-O-30, an Ordinance an Ordinance granting a Variation for the property located at 24172 Grandview Drive.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Kipferl, Marshall, Schaller, Smith, and Vonder Haar
Nays: None
Abstain: President Richardson
Absent: None

The motion carried.

C. CONSIDERATION OF AN AMENDMENT TO THE MUNICIPAL CODE REGARDING LIQUOR LICENSES

Administrator Martin distributed the following summary to the Board in their packets: A change in the Illinois Liquor Code, allowing the re-corking of bottles of wine by patrons, will be effective January 1, 2007. This ordinance amends the Village's Liquor Code to comply with the State Code, and thus allows patrons to take home half finished bottles of wine.

Village Attorney

Village Attorney Bateman explained that Section 6-33 of the Illinois Liquor Control Act provides for liquor establishments permission to re-seal partially consumed wine bottles for consumption by the customer off-premises in compliance with the new provision of the State Statute.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Vonder Haar to pass Ordinance No. 2006-O-31 an Ordinance amending Section 6-1-2 and Section 2-3-6 of the Village of Lake Barrington Municipal Code RE: Liquor Code.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Kipferl, Marshall, Schaller, Smith, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

D. CONSIDERATION OF AN AMENDMENT TO THE MUNICIPAL CODE REGARDING THE OPEN MEETINGS ACT

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: This proposed ordinance would amend the Village Code to provide for the participation by members of public bodies of the Village, including the Board of Trustees, in meetings via electronic means consistent with the requirements of Public Act 94-1058, which becomes effective January 1, 2007.

Village Attorney

Village Attorney Bateman stated that although the Village already has an “Electronic Participation” Ordinance, it must comply with the State’s Statutes. According to the State, the only exceptions which would be acceptable to remote participation would be due to personal illness, employment, or other family emergency. The State’s general limitation is similar to Lake Barrington’s, such as notifying the clerk in advance, an announcement of attendance, and if the electronic participant is the presiding officer then they must vacate the chair to a temporary chair that this physically present at the meeting. Other rules include only roll call votes, a physical quorum must be present, and the remote participant must identify themselves before speaking. Attorney Bateman stated that staff and other consultants would not be limited in their participation.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee DeJesu and seconded by Trustee Vonder Haar to pass Ordinance No. 2006-O-32 an Ordinance Re: Chapter 5, “Village President and Board of Trustees”, of Title 1, Rules for Participation in Meetings Via Electronic Means .

Upon roll call the vote was:

Yeas: Trustees DeJesu, Kipferl, Marshall, Schaller, Smith, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

E. CONSIDERATION OF AN AMENDMENT TO THE MUNICIPAL CODE REGARDING THE WATERSHED DEVELOPMENT ORDINANCE (I.E. ADOPTION OF THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) AN AMENDED & RESTATED EXHIBIT C)

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: The Illinois Department of Natural Resources has requested the Village adopt the NFIP in the Village's Floodplain Ordinance with an effective date of November 16, 2006. The Lake County Stormwater Management Commission is providing an amendment to the Watershed Development Ordinance in compliance.

Discussion

Discussion followed regarding the completed panels of some parts of Lake Barrington. Trustee DeJesu stated that the Village needs new maps. Administrator Martin reported that the first two buildings are full.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Kipferl and seconded by Trustee Vonder Haar to pass Ordinance No. 2006-O-33 an Ordinance amending Chapter 1 of Title 10 of the Village of Lake Barrington Municipal Code by adopting by reference an amended and restated Exhibit C to the Lake County Watershed Development Ordinance.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Kipferl, Marshall, Schaller, Smith, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

13. OLD BUSINESS: None.

14. NEW BUSINESS

A. CONSIDERATION OF PUBLICATION OF AN OFFICIAL ZONING MAP

Village Clerk Hoover distributed the following summary to the Board in their packets and read it aloud at the meeting: In coordination with the new Comprehensive Plan, the Zoning Map is in the process of being updated by Baxter & Woodman to reflect the zoning, boundary, and other changes since the publication of the April 2001 Official Zoning Map. A summary of the changes is provided in the Board folder. Upon completion, the new map will be available for viewing from the Village's website.

Village Administrator Comments

Administrator Martin thanked Clerk Hoover for her detailed work in updating the zoning map. He stated that the new map is being put together by the Village Engineer and is expected to be complete by the end of the month.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Smith and seconded by Trustee DeJesu to pass Resolution No. 2006-R-22, a Resolution authorizing the publication of the Village of Lake Barrington Official Zoning Map.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Kipferl, Marshall, Schaller, Smith, Vonder Haar, and President Richardson

Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

B. CONSIDERATION OF A RESOLUTION RE: LAKE BARRINGTON PROFESSIONAL BUILDINGS LETTER OF CREDIT EXTENSION AND AUTHORIZATION TO CALL UPON A LETTER OF CREDIT IF NOT RENEWED PRIOR TO ITS EXPIRATION

Village Clerk Hoover distributed the following summary to the Board in their packets and summarized it at the meeting: The Letter of Credit from True North Development for the Lake Barrington Professional Building is set to expire on October 5th. According to the most recent field investigation by the Village Engineer, it was determined that substantial improvements remain to be completed. The Village Engineer's recommendation will be forthcoming. The Village Attorney has recommended that the Village Board authorize the call of the Letter of Credit if a renewed Letter of Credit is not renewed by 09/27/06 so we have time to call the LOC if necessary before it expires.

Board Action

A motion was made by Trustee Smith and seconded by Trustee DeJesu to pass Resolution No. 2006-R-23, a Resolution regarding an extension of time for a performance guarantee and authorization to call of the Letter of Credit if a renewed Letter of Credit (subject to Village Attorney approval) is not received by 09/27/06.

Upon roll call the vote was:

Yeas: Trustees DeJesu, Kipferl, Marshall, Schaller, Smith, Vonder Haar, 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.
(also see public comment during items 6, 12A & 12B)

16. CLOSED SESSION – None.

17. ACTION TO BE TAKEN FROM CLOSED SESSION ITEMS – None.

18. OTHER: President Richardson stated that he would give his typical monthly reports the following month. In regards to the Tallgrass Public Comment (see item 6 on the agenda), Administrator Martin summarized the events that the Village President missed during his absence earlier that evening.

President Richardson stated that the economics of our community has changed in a relatively short period of time. President Richardson stated that the subject property has been zoned residential since 1959. He stated that the Village should consider development proposals based upon their appearance and potential environmental impacts while respecting the property owner's rights. He stated that the Board considers potential litigation and unhappy residents.

President Richardson elaborated some of his email and phone messages from unhappy residents. He stated that the berm height and screening wall were issues raised by the Plan Commission, the Village Board, and others during the planning process. President Richardson stated that the Plan Commission has professional experience as a developer.

President Richardson stated that the Village residents prefer the countryside verses urban development according to the community survey. He stated that the Village has worked with the developer to bring higher-end custom homes verses tract homes.

President Richardson stated that he agreed that people have the rights to be heard and owners have the right to exercise property rights. He stated that the developer is putting in significant screening which was heard during the public hearing process. He stated that more than 800 trees and shrubs are planned and not to judge a work in process as the final product. He stated that the Village would be following up to make sure that the full agreement is adhered to.

Board discussion followed. Trustee Vonder Haar compared the development to Lake Barrington Shores mature landscaping which didn't look as good thirty years ago. She referred to the draft Comprehensive Plan and the focus for obtaining open space and lack thereof. Trustee Vonder Haar stated that other villages would strive to be where our village is at.

President Richardson stated that beautifying for residents may put a burden on developers. He stated that the berm was agreed to for screening and noise pollution. President Richardson stated that the Village is working on creating revenue sources for a possible joint venture with the Park District and/or Forest Preserve for open space and the Sierra Club would be assisting us with finding grants for matching. He stated that the Route 14 corridor would be a focus for generating revenue.

Board discussion followed. Trustee Vonder Haar stated that in order to sell million dollar homes to property is going to have to look good. Trustee DeJesu stated that the appearance of the wall is difficult to accept and she never envisioned that it would look that high. She stated that an iron fence would have been a better option. Village Attorney Bateman stated that from a planning perspective that the lots needed to be separated from the traffic along Kelsey and River Roads. Trustee Smith stated that he always knew that the subject property would be developed, but is concerned about the height of the berm and fence. He reminded the Board that he wanted School District 220 to consider the land for a school. In regards to other developments, he referred to Route 22 & 59's development objections which have faded away. Trustee Smith stated that the Village wants the development to succeed and bring beautiful homes to the community. Trustee Kipferl stated that she was proud and excited when the plans were approved on May 17th. She stated that none of Board members are engineers and she is disappointed on how the development looks without landscaping. Administrator Martin stated that the subdivision was designed to set it apart from Kelsey, River, and Miller Roads.

Further discussion followed relative to the existing topos and compliance with engineering plans and informing the developer that they can proceed at their own risk pending engineering inspections – which would be presented to the Board at next months meeting. The Board commented on their differing visualizations of the project. Trustee DeJesu stated that the Board should reconsider their berms & fence ordinances. Administrator Martin stated that there should be a degree of trust and the developer has lines of credit and landscape consultants.

Discussion followed about the persuasive testimony from the developers, berm height, security, panels, and reference to the wall along the Chicago Botanical Gardens, the planning process, and differing points of view, inspections in process, and wall appearance and cost.

19. **ADJOURNMENT:** A motion was made by Trustee Smith and seconded by Trustee Kipferl to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 9:38 p.m.

Respectfully submitted,

Cynthia L. Hoover
Village Clerk
Recording Secretary

Christopher A. Martin
Village Administrator
Recording Secretary