

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD NOVEMBER 6, 2008**

1. CALL TO ORDER

A regular meeting of the Board of Trustees of the Village of Lake Barrington was held at the Village Municipal Center, 23860 Old Barrington Road, on Thursday, November 6, 2008, and was called to order by President Richardson at 7:03 p.m. Loretta Peterson was appointed Recording Secretary.

2. ROLL CALL

Upon the roll being called, the following Trustees were physically present at said location: Trustees Burke, DeJesu, Raclaw, Schaller, Vonder Haar, and President Richardson

Absent: None

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: Trustee Struck

Trustee Struck attended the meeting by 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: Treasurer Purcell, Village Administrator Martin, Village Clerk Peterson

Others Present: ZBA Member Fortman, Village Attorney Bateman

3. PLEDGE OF ALLEGIANCE

4. CONSIDERATION OF MINUTES

A. Minutes of the Regular Meeting Held October 7, 2008

Trustee Raclaw stated that under *Item 11H. Committee Reports – Other – CN Railway Report* the text "from \$300,000 to \$600,000" should be replaced with "from \$300 million to \$600 million."

Board Action

A motion was made by Trustee Vonder Haar and seconded by Trustee Raclaw to approve the Minutes, item 4A above. The voice vote was unanimous and the motion carried.

B. Minutes of the Special Meeting Held October 18, 2008

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Raclaw to approve the minutes, item 4B above. The voice vote was unanimous and the motion carried.

5. PRESIDENT'S REMARKS (President Richardson)

A. Recognition of Adolph Danta

President Richardson and the Board of Trustees individually commended Mr. Danta and expressed appreciation for his contributions to the community. President Richardson read Resolution No. 2008-R-21, a resolution recognizing Mr. Danta's long time service to the village. He also read a plaque that will be displayed at Village Hall in his honor. Mr. Danta expressed it was an honor to serve the community and thanked the Board and community.

6. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

Wayne Stone, resident of Lakeland Estates, asked why the Slocum Drainage District presentation by its Chairperson, Don Krebs, and Mike Warner was not on the October 7, 2008 agenda. It was noted the item was on the October 7, 2008 agenda.

President Richardson indicated he met with Mr. Krebs. He complimented Mr. Krebs on his approach to resolve the issue through an intergovernmental agreement and expressed his support.

Discussion

The Board was polled on the topic and came to the consensus to support the Slocum Drainage Ditch Anderson Branch project through an intergovernmental agreement. Attorney Bateman reviewed the process to process an agreement and offered to reach out to the other entities' attorneys to build a template for the agreement.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Raclaw to authorize Village Administrator Martin to proceed with an intergovernmental agreement with the Slocum Drainage District.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, Vonder Haar, and
President Richardson

Nays: None

Abstain: None

Absent: None

The meeting was recessed at 7:28 pm pm to reconnect with Trustee Struck by telephone and recovered at 7:30. The Motion was restated and Trustee Struck's "Yea" vote confirmed. President Richardson declared the motion carried.

Mr. Stone thanked the Village for the new roads in Lakeland Estates and indicated it has improved the watershed.

7. CONSENT AGENDA

None

8. TREASURER'S REPORT (Treasurer Purcell)

Treasurer Purcell reported on the following:

- A. Treasurer Purcell reported the Tax Levy is increased \$363,000, which is 5% more than last year. Mr. Martin reviewed the financials for the levy.
- B. Treasurer Purcell reported net income in the General Fund for the first five months of the fiscal year was \$381,184 which compares with \$337,416 for the same period last year due to the permit income received from the North Pointe development project. Interest is lower compared to last year and the second payment for Real Estate Taxes were paid. He reported on the Motor Fuel Tax Fund noting MFT revenue has decreased because less gas is being purchased in the statewide.
- C-E. The Accounts Payable Warrants have been reviewed and should be approved.

Board Action (A)

A motion was made by Trustee Vonder Haar and seconded by Trustee DeJesu to:

- A. Approve Ordinance No. 2008-O-28, a Tax Levy Ordinance for Fiscal Year 2008/2009.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, Vonder Haar, and
President Richardson
Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

Board Action (B)

A motion was made by Trustee Raclaw and seconded by Trustee Schaller to:

- B. Approve the Financial Statements as of 09/30/08

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, Vonder Haar, and
President Richardson
Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

Board Action (C-D)

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

- C. Pay Bills in the amount of \$ 387,253.00 as Listed on the Accounts Payable Warrant
"A" Dated November 6, 2008.
- D. Pay Bills in the amount of \$ 3,174.49 as Listed on the Accounts Payable Warrant "B"
Dated November 6, 2008

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, Vonder Haar, and
President Richardson
Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

Board Action (E)

A motion was made by Trustee Burke and seconded by Trustee Raclaw to:

- E. Pay bills in the amount of \$ 235.00 as listed on Accounts Payable Warrant "C" dated
November 6, 2008 (office cleaning)

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, and Vonder Haar
Nays: None
Abstain: President Richardson

Absent: None

President Richardson declared the motion carried. He stated that as a former employee and current client of ServiceMaster he abstains from voting on this warrant and further stated that he had and has no involvement in the selection of the Village's cleaning service.

9. ADMINISTRATOR'S REPORT

Mr. Martin reported on the following:

- A. NBI Update: Three applications were received and will be reviewed by the Community Development Committee for recommendation. Mr. Martin announced that information and the Application for this program can be found on the Village website at www.lakebarrington.org.
- B. Financial Planning Calendar was included in the Board packet. A review on the current fiscal year will be given at the December 2nd Board meeting.
- C. 50th Anniversary Update: Trustee Raclaw will report on this topic later in the meeting.
- D. Other: Village Hall was painted.

10. CLERK'S REPORT

Ms. Peterson reported candidate's petitions are available at Village Hall for the April 7, 2009 Consolidated Election.

11. COMMITTEE REPORTS

- A. **COMMUNITY DEVELOPMENT** (Chair Raclaw) – Chairperson Raclaw reported the committee met prior to the Board meeting and discussed 50th Anniversary events. He highlighted the three main events: Recognition Dinner, Summer Festival and Barn Dance at Freier Farm. Trustee Burke encouraged residents to apply for a Neighborhood Beautification grant.
- B. **FINANCE & HUMAN RESOURCES** (Chair Vonder Haar) – Chairperson Vonder Haar stated a personnel review is due in December.
- C. **INTERGOVERNMENTAL AFFAIRS** (Chair Richardson) – President Richardson reported there is cautious optimism for the ITEP grant and for agreement in the state legislature for a capital plan that would include nitrogen removal at the Wauconda Wastewater Treatment Plant. The October BACOG report was provided in the Board folder
- D. **NATURAL RESOURCES** (Chair DeJesu) – Chairperson DeJesu highlighted the Village's involvement with the Flint Creek Watershed Partnership (FCWP). She attended an Indian Creek Watershed forum and learned about the increased use of vegetated bioswales and rain gardens in other areas. She encouraged the Board to consider including these storm water management elements in the Village's ordinances. She proposed the village consider spearheading a Flint Creek Watershed restoration project in Flint Lake. Chicago Wilderness is giving the FCWP an award at a forum that she and Trustee Raclaw will be attending. President Richardson read a letter that was sent from a local student, Emily Casaletto, to Trustee DeJesu regarding a global warming project she'd like to share.
- E. **PUBLIC SAFETY** (Chair Schaller) – Chairperson Schaller reported the draft Emergency Operations Plan (EOP) was sent out to first responders for comments. Mr. Martin indicated he has not received any to date. Trustee Schaller stated the EOP was developed around the Village's reliance on other entities for first response and that it outlines roles and duties for Village staff and officials. He welcomes input and suggestions from the Board.
- F. **PUBLIC WORKS** (Chair Vonder Haar) – No report.

G. **RULES** (Chair Schaller) – No report.

H. **OTHER - CN RAILWAY REPORT** (Trustee Raclaw): Trustee Raclaw reported Canadian National Railway must have a decision by the STB prior to December 31, 2008 in order to complete the acquisition. CN filed legal action to force expedition of STB's decision.

12. **OLD BUSINESS**

A. **CONSIDERATION OF INSTALLATION OF A STREET LAMP AT KELSEY ROAD AND DUBLIN WAY**

Material was provided in the Board folder.

President Richardson stated he lives in Kelsey Farms subdivision and that he watched the broadcast of the October 7, 2008 meeting. He reviewed the discussion from the last meeting regarding the issue of whether a conventional or decorative light fixture should be installed. He noted that there appears to be consensus that the light be installed on the west side of Kelsey Road but some disagreement as to the style of the fixture. He suggested having the Plan Commission make a recommendation on the type of fixture that should be installed and to direct Mr. Martin to move forward with the installation of the light while the fixture is considered. He then invited public comment.

Kelsey Farms resident Wendy Conroy stated her concern with delaying installation of the light and that she didn't have a preference of the type fixture that is installed.

Kelsey Farms resident Bob Bieniek expressed his concern with the risk for accidents involving fast-moving northbound traffic and drivers who are not aware of the bypass lane. He stated installation of any light is preferred over no illumination at all.

Discussion was held on the proper location of the light to resolve the issues of illumination for the bypass lane and the bus stop, funding to pay for the light, the scope of installing decorative fixtures in the Village and incremental costs to install the light on the east side versus the west side of Kelsey Road.

During discussion, Dan Brinkman of Gewalt Hamilton reviewed the photometric plan that was included in the Board packet. It was noted the Board received the plan for a 250 watt light installed on the east side of Kelsey Road. After inquiry, Mr. Brinkman recommended placing the light on the east side of the road to illuminate the bypass lane and lessen intrusion on residents.

Wayne Stone, Lakeland Estates resident, stated Kelsey Farms has a poorly lit entrance. He agreed with the recommendation to have the Plan Commission review the type of fixture and suggested the subdivision apply for a Neighborhood Beautification Initiative grant to improve the lighting at its entrance. He is concerned with the total proposed cost for the light.

Mr. Martin stated Lake County will not provide shared funding because the subdivision is too small. He also indicated the bulk of the work is to get power to the location of the fixture which includes 600 feet of electrical work to the east side of the road. There is an incremental cost increase of \$4,000 to bring power underneath the road to the east side of Kelsey Road and a \$4,000 incremental cost to install a decorative fixture instead of a standard light and pole. The breakdown of the approximate cost is as follows, electrical \$15,000 fixture \$6,000, \$4,000 engineering, permitting, other costs total estimate \$25,000.

Trustees Vonder Haar and Schaller noted and questioned the necessity and incremental cost to install a decorative fixture on the east side of the road.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Struck to authorize the Village Administrator to direct Village Engineer Gewalt Hamilton to proceed with the installation of a street lamp on the east side of Kelsey Road at Dublin Way completing permitting and electrical work while referring the issue of the type of light fixture to the Plan Commission for recommendation to the Village Board.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Struck, and President Richardson
Nays: Trustees Vonder Haar and Schaller
Abstain: None
Absent: None

President Richardson declared the motion carried.

13. ORDINANCES

A. CONSIDERATION TO APPROVE AND AUTHORIZE THE EXECUTION OF A SOLID WASTE CONTRACT

Mr. Martin summarized that during the August 14th Special Meeting the Board discussed the proposed contract and direction was given to the Village Administrator/Attorney to finalize the contract. The final contract is provided in the Board folder. Annual increases will be 5% for the five year term of the contract. There is no increase for yard waste collection. Material was provided in the Board folder.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Raclaw to approve Ordinance No. 2008-O-29, an Ordinance Approving And Authorizing The Execution Of an Amendment to Refuse Contract

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

14. NEW BUSINESS

A. CONSIDERATION OF TRAFFIC SIGNAL AND ROADWAY DESIGN SERVICES AGREEMENT WITH GEWALT HAMILTON ENGINEERS FOR THE ROUTE 14 AND PEPPER ROAD SIGNALIZATION

Mr. Martin reported the Village is the lead agency for the signalization of Pepper Road and Route 14. The next step is to begin the detailed traffic signal design work and prep the construction drawings for permit review by IDOT. Gewalt Hamilton Engineers has previously the completed Intersection Design Study (required to prove that a signal is warranted) and has submitted a proposal for the aforementioned services. The cost for the design services is \$61,800 as detailed in their proposal. The Village is sharing in all expense related to this intersection on a 1/3 basis (state/local/developer). Materials were provided in the Board folder.

President Richardson thanked Fidelity Consulting for its help in Springfield. Mr. Brinkman of Gewalt Hamilton indicated installation of the light should be completed by Fall 2009.

Board Action

A motion was made by Trustee Vonder Haar and seconded by Trustee DeJesu to authorize the Village Administrator to enter into an agreement with Gewalt Hamilton for Engineering service pertaining to the signalization of Route 14 and Pepper Roads for the lump sum of \$61,800.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, Vonder Haar, and
President Richardson
Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

B. CONSIDERATION OF A RESOLUTION: APPROVING AND AUTHORIZING THE EXECUTION OF AN "INTERGOVERNMENTAL AGREEMENT FOR COOPERATIVE TRAFFIC CONTROL BY AND AMONG THE VILLAGE OF TOWER LAKES, THE VILLAGE OF NORTH BARRINGTON, AND THE VILLAGE OF LAKE BARRINGTON

Mr. Martin explained the intergovernmental agreement is a renewal of a cost share agreement with the Village of North Barrington and the Village of Tower Lakes for a traffic control officer. The officer assists in moving traffic to and from North Barrington Elementary School at the intersection of Route 59 and Grandview two hours per day (morning and afternoon). The Village of North Barrington has approved the agreement. The renewal agreement is for a term of 3 years. The total cost to Lake Barrington would be \$5,700 for the first year with an annual increase for each succeeding year using the lesser of the Illinois Municipal League Police Protection Departmental Price Index, or 5%. Materials were provided in Board folder.

Board Action

A motion was made by Trustee Raclaw and seconded by Trustee Vonder Haar to approve Resolution No. 2008-R-32, a Resolution Approving And Authorizing The Execution Of An Intergovernmental Agreement For Cooperative Traffic Control By And Among The Village Of Tower Lakes, The Village Of North Barrington, And The Village Of Lake Barrington

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, Vonder Haar, and
President Richardson
Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

C. CONSIDERATION OF FENCE QUOTE FOR REPLACEMENT OF STREET SIDE FENCING – FREIER FARM

Mr. Martin reviewed the quotes he received for the replacement of approximately 300 feet of white fencing that runs parallel to Kelsey Road on the Freier Farm. The interior fencing will remain for the time being. Open space funds will be used for this replacement.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Raclaw to authorize the Village Administrator to accept a fence quote with Aronson Fence for the fencing on the Freier Farm as described.

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, 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

President Richardson indicated the Board would be entering Executive Session and that no action will be taken when the Board reconvenes. The Board took a five minute recess at 8:59 p.m.

16. CLOSED SESSION

Board Action

At 9:04 p.m. a motion was made by Trustee Schaller and seconded by Trustee Vonder Haar 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. (Roll Call Vote)

Upon roll call the vote was:

Yeas: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, Vonder Haar, and
President Richardson
Nays: None
Abstain: None
Absent: None

President Richardson declared the motion carried.

The Board reconvened at 10:31 p.m. with all members present as the original Roll Call.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

None

18. ADJOURNMENT

A motion was made by Trustee Burke and seconded by Trustee Raclaw to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 10:32 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary