

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD APRIL 15, 2009**

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 Wednesday, April 15, 2009, and was called to order by President Pro Tem Vonder Haar at 7:03 p.m. Village Clerk Peterson was appointed Recording Secretary.

2. ROLL CALL OF MEMBERS

Upon the roll being called, the following Trustees were physically present at said location: Trustees Burke, DeJesu, Schaller, Struck, and Vonder Haar. President Richardson answered the roll call and attended the meeting by telephone audio conferencing.

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 telephone audio conference: President Richardson.

The following Trustees were absent and did not participate in the meeting in any manner or to any extent whatsoever: Trustee Raclaw

Staff Present: Treasurer Purcell, Village Administrator Martin, and 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 March 3, 2009

B. Minutes of the Special Meeting of the Committee of the Whole Held January 6, 2009

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Struck to approve the minutes, items 4A-B above. After a voice vote with Trustee DeJesu abstaining, President Pro Tem Vonder Haar declared the motion carried.

5. PRESIDENT'S REMARKS (President Richardson)

No report

6. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

Glen "Max" McGee, 28182 W. Savannah Trail and member of the Northpointe Task Force, thanked the trustees and Administrator Martin. There were two productive task force meetings with work that still needs to be done. He noted the developer was not in attendance at the last meeting, however, the owner of the Lake Barrington Field House participated. He requested the developer attend future meetings.

7. CONSENT AGENDA

A. Proclamation in Celebration of Arbor Day: Trustee DeJesu announced Arbor Day is Friday, April 24, 2009 and read the last statement from the Proclamation encouraging residents to plant trees. The Village will be adding 4 native species trees to the arboretum in honor of Arbor Day. Announcements were made regarding various neighborhood clean-up days.

- B. Ratification of Approval of Employee Health Insurance Plan:** On March 3rd, the Board authorized continuation with the current carrier of the employee health insurance program (non-agenda item).
- C. Salvation Army:** to conduct two annual fund raisers for 2009: 1) Donut Day on Friday and Saturday, June 5-6, and 2) Holiday Kettles on Friday, November 13 through Wednesday December 26.
- D. Village Officials:** Motion to Advise and Consent to the following re-appointments by Village President Richardson:
 - Plan Commission: 2013 Chairperson, Karen Daulton-Lange
 - Ethics Commission: 2010 Member, Lorenzo Pizarro
- E. New SWALCO Member:** SWALCO is requesting the Village adopt Ordinance 2009-O-04 an Ordinance consenting to the City of Highwood as a new member of the Solid Waste Agency of Lake County (SWALCO).

Board Action (B-C)

A motion was made by Trustee DeJesu and seconded by Trustee Schaller to approve the Consent Agenda (Items 7A-E)

Upon roll call the vote was:

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

President Pro Tem Vonder Haar declared the motion carried.

8. TREASURER'S REPORT:

Treasurer Purcell reported on the following:

A. Net income in the General Fund for the first ten months of the fiscal year is \$159,113 compared to \$228,905 at this time last year. The Equity in the General Fund is \$60,900 more than this time last year. Other revenue is down due to a decrease in interest. The budget for Fiscal Year ended April 30, 2009 shows a loss of \$361,736, but it is estimated that the Village will finish the year with a positive number of approximately \$80,000. He reported on the year-to-date and cash balances for the Water Sewer, Motor Fuel Tax and Open Space Fund; and he reported on Open Space bond and Special Service Area Fund payments.

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

Board Action (A-C)

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

- A. Approve the Financial Statements as of 02/28/09
- B. Pay Bills in the amount of \$ 242,613.72 as Listed on the Accounts Payable Warrant "A" Dated January 6, 2009; and
- C. Pay Bills in the amount of \$ 20,359.81 as Listed on the Accounts Payable Warrant "B" Dated January 6, 2009.

Upon roll call the vote was:

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

President Pro Tem Vonder Haar declared the motion carried.

9. **ADMINISTRATOR'S REPORT**

Mr. Martin reported on the following.

A. Northpointe Task Force - Report:

Mr. Martin read the summary that was provided in the Board packet, showed slides illustrating the landscaping recommendations and explained funding alternatives to implement the landscaping recommendations.

Summary: The Village Board created the Northpointe Task Force on February 3rd. Its purpose was to catalog resident issues and develop possible solutions pertaining to the Lake Barrington Field House. The Task Force met on February 17th and March 16th. Materials were provided in the Board folder. The two major issues were: 1) lighting of the rear and NE corner of the building; and 2) the building massing (size), in particular, the rear wall. Relative to these issues the following has already taken place or is recommended:

Lighting

- Rear wallpacks (2) placed on separate circuit, *completed*.
- Rear wallpacks (2) shut off, for test period, *completed*.
- Side wallpacks, (3) bulb wattage reduced from 400 to 250W, *completed*.
- Rear street lamps (2) shields installed, *completed*.

Landscaping – Recommendations

- 10 evergreen and 3 softwood (willow) trees to be planted in the rear yard of the Fieldhouse clustered towards the NE corner.
- Foundation plants including 6 tall evergreen and 2 deciduous trees and 45 shrubs and 60 ornamental grasses to be planted adjacent to the rear wall.
- Two quotes were received with Doering Landscape providing the lower amount of \$15,036.
- Spot trees to be located within the Savannah. Locations and cost are not yet determined, perhaps as part of the Village's annual planting program.

Trustee Schaller indicated there was significant discussion to address the concerns. He thanked Mr. Martin for his efforts and noted the recommendations are addressing the concerns.

Trustee DeJesu stated the landscaping recommendations are not an instant fix but as the trees and plantings should help as they mature.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Burke to waive public bidding and authorize the Village Administrator to contract with Doering Landscape for the installation of landscaping per the Plan developed by the Northpointe Task Force not to exceed \$15,036.

Upon roll call the vote was:

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

President Pro Tem Vonder Haar declared the motion carried.

- B. Street Lamp Dublin/Kelsey – Status: A rural pole is going to be installed and maintained by ComEd. He reviewed the costs and stated the estimated time of completion is end of May.
- C. Other: Inter Track Partners withdrew their petition for an OTB facility to be located inside Kelsey Road House. The April 23rd Plan Commission meeting is canceled.

10. CLERK'S REPORT

Clerk Peterson reported on the following:

- A. Consolidated Election Results: Lake County will complete its final canvassing on April 22nd. Election results as of April 15th were announced.
- B. Business License Applications: Renewal applications were mailed to area businesses and are due by May 1st.

11. COMMITTEE REPORTS

- A. **COMMUNITY DEVELOPMENT** (Chair Raclaw) – Mr. Martin reported on and described two items that were approved by the Plan Commission, a Pepper Road development and an internet vehicle dealership, and will come before the Board for consideration in May.
- B. **FINANCE & HUMAN RESOURCES** (Chair Vonder Haar) – Mr. Martin is working on staff performance evaluations. The draft Financial Plan will be presented at the May meeting.
- C. **INTERGOVERNMENTAL AFFAIRS** (Chair Richardson) – No report.
- D. **NATURAL RESOURCES** (Chair DeJesu) – The village is planting native species trees in the Village Arboretum in celebration of Arbor Day. Mr. Martin indicated the Village is waiting for the State to release the 319 grant funds to begin the rain garden project. Trustee DeJesu explained bikes are not allowed on the Grassy Lake Trail because it is too narrow for both pedestrian and bike traffic and to protect the environmentally sensitive areas in the preserve.
- F. **PUBLIC SAFETY** (Chair Schaller) – Trustee Schaller participated in a Cuba Township emergency management planning session that focused on pharmaceutical distribution. A test drill is going to be performed on June 18th.
- G. **PUBLIC WORKS** (Chair Vonder Haar) – The Village will be focusing on drainage projects in FY 09-10 starting with Driftwood Court and patching and culvert work in Barrington Harbor Estates. Mr. Martin explained the procedure for examining residential drainage concerns and prioritizing projects.
- H. **RULES** (Chair Schaller) – No report.
- I. **OTHER** – No report.

12. OLD BUSINESS

A. CONSIDERATION OF OF APPROVAL NORTHPOINTE 3 - BUILDING AND LANDSCAPE

Mr. Martin read the summary provided with the Board folder and briefed the Board on the proposed plan that was presented at the February 2009 Board meeting.

Summary: While the development received a favorable response, Board action was deferred until the Northpointe Taskforce considered issues related to Lot 2. This took place over two meetings, February 17th and March 16th and remediation has taken place or is proposed, see item 9A. Color copies were previously provided; materials were included in the Board folder.

Mr. Martin explained reflective of previous discussions regarding Lot 2, revisions were made to the plan to increase planting for screening and to reduce massing, and to reduce the lighting along the north corner and east side of the building to a minimum. Mike Mago of G23 was introduced to the Board.

Trustee Schaller noted the residents' concern regarding car headlights. Mr. Martin indicated there will be substantial foundation plantings, trees and landscape materials for screening.

Trustee DeJesu suggested using a deeper color on the wall facing the residents to reduce the reflection of lights.

Mr. Martin reviewed the lighting fixture plan upon Trustee Struck's inquiry.

Board Action

A motion was made by Trustee Schaller to approve Northpointe 3.

Public Comment

Angela Incandela, 28085 W. Savannah Trail, indicated the Task Force is working out well and there are still issues that need to be resolved. She stated there are still concerns regarding the illumination of the east side of the building and inquired if fencing is included in tonight's recommendations to the Board as discussed by the Task Force. Mr. Martin stated fencing is not included, reported the costs of fencing and that the Village would be implementing the landscaping recommendations first to see if it resolves the issues before erecting a fence. Ms. Incandela requested the developer be present at the Task Force meetings. She commented on the elevation and grade for Building 3 and would like to see it excavated lower. Mr. Martin indicated that site will not be excavated to lower the grade prior to constructing the building.

Glen "Max" McGee, 28182 W. Savannah Trail, believes Trustee DeJesu's suggestion to use a deeper color for the back of the building will make a difference. Mr. Mago affirmed use of the deeper color.

Randy Study, 27842 E. Savannah Trail and Member of the Task Force, stated he understood fencing with landscaping was proposed in the Task Force meetings for certain areas of the development and specified where headlights are impacting a home. Mr. Martin described landscaping alternatives and costs to address issue.

Tom Ganzer, 27545 E. Savannah Trail, expressed concern for the speed of implementing Task Force recommendations. Mr. Martin addressed timing of the development review process and Task Force related activities. Mr. Martin described the lighting plan for the site and access for garbage pickup upon to Mr. Ganzer's inquiry. Mr. Ganzer asked if the Lot 3

building foundation will be lowered. Mr. Mago commented on variables regarding elevation level.

Mr. Martin reviewed the plan commission process, and explained the building is sited to engineering and that the building is proposed at a permitted height within its zoning district. He stated the proposed height of the Lot 3 building is approximately 35' and height of the Lake Barrington Field House is 41' in reply to Trustee Struck's inquiry. Trustee DeJesu and Mr. Martin commented on the deeper hue for the back wall of the new building. Trustee Struck commented on the tree line of the oak grove in comparison to the height of the new building.

Jeung Kwak, 28343 Savannah Trail, asked the Board to block the headlights coming into his home. Ms. Incandela assisted Mr. Kwak in identifying the location of his home in relation to the development. Trustee Schaller stated the proposed recommendations considered tonight should mitigate the problem.

Joo Kwak, 28343 Savannah Trail, reiterated Mr. Kwak's request to mitigate the headlights. She said she and her husband planted trees on their property to screen out the Lake Barrington Field House, but it is not adequate. She expressed concern for her home value. Mr. McGee confirmed the Kwaks' concern for the impact of the headlights.

Mike Schwan, 21849 W. Savannah Trail, expressed concern that parking will be added to the back of the building later. Mr. Martin stated the wetland buffer will prevent additional parking in the back of the building.

Trustee Burke thanked residents who commented. He assured the Board takes its responsibility seriously to address residents' concerns. There are multiple stakeholders in every issue that takes place in village government including the entire Village as a whole for its financial well-being, businesses that want to be located in Lake Barrington and the residents. He commented on the Northpointe Development's contribution to the greater community and the significant revenue generated from permitting. He stated there is a need to blend the needs of the Village in the greater community with those of individual residents and that the Village has a process in place to hear from all stakeholders. He reiterated the Board is committed to finding solutions.

Ms. Incandela commented on balancing the needs between businesses and residents who live near developments. Mr. Martin confirmed for Ms. Incandela the changes in the lighting fixtures at the Lake Barrington Field House.

Board Action

Trustee Schaller's motion to approve Northpointe 3 was seconded by Trustee Burke.

Upon roll call the vote was:

Yeas:	Trustees Burke, DeJesu, Schaller, and President Richardson
Nays:	Trustee Struck
Abstain:	Trustee Vonder Haar
Absent:	Trustee Raclaw

President Pro Tem Vonder Haar declared the motion carried.

B. PRESENTATION BY SMART FARM OF BARRINGTON, INC. REQUESTING THE USE OF A PORTION OF THE FREIER FARM AT 23585 N. KELSEY ROAD, AND ASSOCIATED IMPROVEMENTS

Mr. Martin read the following summary that was provided in the Board packet.

Summary: The Village was contacted by Katherine Gabelman of Smart Farm requesting use of 1-3 acres of property on the Freier Farm for a community resource and learning center. The Board previously considered this request on January 6 and March 3, 2009 at which Smart Farm was asked to return to present to the full Board.

Dicie Hansen and Karen Rosene presented a revised version of their March presentation. During the presentation, Board members discussed condition of the well shed, need for a comprehensive or long range plan for Freier Farm, need for water and possibility of accessing water from the house, and impact on aesthetics with installation of mesh fence along Kelsey Road.

President Richardson stated the property has been stabilized and that the Board will meet within the next couple of months to further discuss use of the property. Trustee Burke stated the Board must examine capital outlay and expenses over a longer period of time.

Ms. Hansen concluded by stating Smart Farm expected the Board to do its due diligence and asked to be kept apprised as the Board reviews its vision for Freier Farm.

13. ORDINANCES

A. CONSIDERATION OF AN ORDINANCE GRANTING A SIDE YARD SETBACK VARIATION - 16 RIVERS BEND DRIVE

Mr. Martin read the following summary that was provided in the Board packet.

Summary: The Zoning Board of Appeals held a Public Hearing on April 2 and voted 5-2 to recommend approval of a side yard variance for 16 Rivers Bend. The petitioner is requesting a variation from the R-1 minimum side-yard setback requirement of 10% of the lot width to construct a single story bedroom addition. The minimum setback required is 20 feet (10% of the lot width). The proposed addition at 15.5 feet wide which will leave a 13.6 foot side-yard (at the closest corner), therefore, requiring a 6.4 foot or 32% variance. Materials are provided in the Board folder.

Mr. Martin indicated the architect was in attendance to answer questions. He told the Board there was no testimony at the hearing and that 2 members of the Zoning Board voted against the variance because they did not feel the hardship was proven.

Mr. Martin replied upon Board members' inquiries that neighbors did not express concern and trees would not be removed.

A motion was made by Trustee DeJesu and seconded by Trustee Struck to pass Ordinance No. 2009-O-05, an Ordinance granting a Variation from Section 8-4-3I-2: R-1 Single Family Residential District, Side Yards for the property located at 16 Rivers Bend Drive

Upon roll call the vote was:

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

Nays: None

Abstain: None

Absent: Trustee Raclaw

President Pro Tem Vonder Haar declared the motion carried.

14. NEW BUSINESS

A. CONSIDERATION OF LETTER OF CREDIT EXTENSION: FLINT CREEK PROMED BUILDING

Mr. Martin read the following summary that was provided in the Board packet.

Summary: The existing Letter of Credit for the Flint Creek ProMed Building in the amount of \$217,000 is set to expire on May 2, 2009. Staff recommends extending this performance guarantee for another year. Materials are provided in the Board folder.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Burke to pass Resolution No. 2009-R-08 a Resolution extending a Letter of Credit RE: Flint Creek ProMed Building

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

Nays: None

Abstain: None

Absent: Trustee Raclaw

President Pro Tem Vonder Haar declared the motion carried.

B. CONSIDERATION OF PAINT QUOTES - FREIER FARM

Mr. Martin read the following summary that was provided in the Board packet.

Summary: Staff requested quotes for painting of the barn and shed buildings on the Freier Farm. This would include scraping, light carpentry, and painting (white) of all buildings and the metal shed. This project would be paid for via the open space fund.

Mr. Martin confirmed the well shed would be painted and explained the purpose of this project is to stabilize the property and improve weathering.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Schaller to waive public bidding and authorize the Village Administrator to contract with Rainbow Painting for the painting of the barn and sheds at the Freier Farm not to exceed 20% of \$14,585.

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

Nays: None

Abstain: None

Absent: Trustee Raclaw

President Pro Tem Vonder Haar declared the motion carried.

C. CONSIDERATION OF A RESOLUTION PROVIDING FOR A VOLUME CAP/PRIVATE ACTIVITY BOND TRANSFER

Mr. Martin read the following summary that was provided in the Board packet and noted the Board considers this item annually.

Summary: The Village of Lake Barrington has opted to transfer the State's Private Activity Bond Allocation in past years to the Village of Buffalo Grove, a clearinghouse for Lake

County Partners. Over the past year, the Village has received approximately \$3,163 in revenue. Materials are provided in the Board folder.

Board Action

A motion was made by Trustee Burke and seconded by Trustee Struck To Pass Resolution No. 2009-R-09, A Resolution Transferring The Village of Lake Barrington Private Activity Bond Allocation To The Village of Buffalo Grove, Illinois.

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

Nays: None

Abstain: None

Absent: Trustee Raclaw

President Pro Tem Vonder Haar declared the motion carried.

15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

None

16. OTHER

None

- 17. ADJOURNMENT:** A motion was made by Trustee Schaller and seconded by Trustee DeJesu to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 9:00 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary