

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE RESCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD JULY 7, 2011**

Approved

1. CALL TO ORDER

A rescheduled 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 Thursday, July 7, 2011, and was called to order by President Richardson at 7:00 p.m. Village Clerk Peterson was appointed Recording Secretary.

2. ROLL CALL OF MEMBERS

Upon the roll being called at 7:00 p.m., the following Trustees were physically present at said location: Trustees Raclaw, Schofield, Schaller, and President Richardson

Upon the roll being called at 7:02 p.m., subsequent to the Pledge of Allegiance, the following Trustees were physically present at said location: Trustees DeJesu, 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: Trustees Burke and Mitchell.

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

Others Present: Village Attorney Bateman and Zoning Board Member Fortman

3. PLEDGE OF ALLEGIANCE

4. CONSIDERATION OF MINUTES

A. Minutes of the Regular Meeting held on June 8, 2011

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Schofield 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. Other

President Richardson spoke about safety and fire protection during the dry summer season months and announced Lake Barrington resident, Kent Gaffney, was selected to fill late State Representative Beaubien's seat.

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

Cindy Cramer, resident of Hunter Farms Subdivision in Fox River Grove and former elected official of Fox River Grove, expressed concern regarding a Lake Barrington resident who lives adjacent to her backyard and subdivision conservation area on the boundary of the two Villages. The resident has been removing trees and plants along the border and is planning to erect a deer fence. She also expressed concern regarding a large branch from her mature oak tree which overhangs this resident's yard. The resident indicated he may trim or remove it. An arborist advised her that removal of that branch will put the tree at risk for oak wilt.

Kyle Lysek, resident of Hunter Farms Subdivision in Fox River Grove, commented on the size of the trees that have been removed and inquired about village code related to tree removal.

Both Ms. Cramer and Mr. Lysek stated they spoke with the Lake Barrington resident.

Board Discussion

President Richardson noted the Village has a tree preservation ordinance and that the Village is limited in what it can tell residents they can and cannot do on their property. Mr. Martin stated the resident applied for a tree removal permit and he explained how the standards of the tree preservation ordinance applied to this resident's application. Discussion was held and comments were made regarding getting more information from the resident, risk of harm to Ms. Cramer's oak tree, and location of the removal of trees and shrubs.

Mr. Bateman explained Village ordinance and homeowners associations' covenants are separate and that the covenants and architectural approval for the subdivision is considered and enforced by the homeowners' association. The Village would play a role when the resident applies for the building permit for the fence.

Verification will be made regarding the existence and location of a conservation easement and information will be obtained when this matter is discussed at the resident's homeowners' association meeting which is being held next week.

7. CONSENT AGENDA-None

8. TREASURER'S REPORT:

Mr. Purcell reported on the following:

- A. Discussion of Investment Report for Year Ending 4/30/2011
Mr. Purcell informed the Board the General Fund balance is \$5,488,093 and he reported on earned interest which has decreased considerably compared to last year.
- B. After one month, the General Fund showed a loss of \$4,724. He provided information regarding state shared revenues that are due from the State of Illinois. The auditors are beginning their field work next week.
- C-D. The Accounts Payable Warrants have been reviewed and should be approved.

Upon inquiry, explanations were given regarding the traffic fine revenue and Doering Landscape Co. payments listed on Warrant "A".

Board Action (8 B-D)

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

- B. Approve the Financial Statements as of 5/31/2011
- C. Pay Bills in the amount of \$ 260,867.13 as Listed on the Accounts Payable Warrant "A" Dated July 7, 2011.
- D. Pay Bills in the amount of \$ 10,373.11 as Listed on the Accounts Payable Warrant "B" Dated July 7, 2011.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

9. ADMINISTRATOR'S REPORT

- A. Freier Farm Barn Stomp – Saturday, October 1: The planning group met to schedule the date and discuss entertainment, the menu and activities.
- B. Special Joint Meeting of the Board of Trustees, Plan Commission, and Zoning Board of Appeals – Saturday, July 16, 2011 to discuss economic development.
- C. Other: The OSLAD grant for the Freier Farm improvements was submitted. He reported on the interior buildouts at the Flint Creek Pro Med building, and following inquiry, he provided information regarding further site development around the Northpointe Development.

10. CLERK'S REPORT

- A. No report.

11. REPORTS OF STANDING COMMITTEES

- A. Communications and Community Relations (C. Mitchell): No report.
- B. Environment & Open Space (L. DeJesu): Trustee DeJesu reminded residents open burning ended. After sharing information about a presentation she attended regarding the impact of development on water supply, she encouraged residents to let their lawns go dormant to conserve water.
- C. Finance, Human Resources and Economic Development (D. Raclaw): Trustee Raclaw noted the July 16 Joint Special Meeting to address economic development.
- D. Gated Communities (J. Schaller): Trustee Schaller reported on the status of the Lake Barrington Golf Club and related actions taken by the Lake Barrington Shores homeowners association.
- E. Intergovernmental & External Relations (K. Richardson): President Richardson announced Kent Gaffney was appointed as State Representative and reported the capital improvement bill clean up grant is close to release following action taken by the Village and Fidelity Consulting Group. Mr. Martin provided details regarding the funding, and upon inquiry, indicated the Slocum Lake Drainage District will coordinate plans to fix the ditch near the site of the clean up.
- F. Public Safety (J. Schaller): Trustee Schaller noted his appreciation for the Lake County Sheriff.
- G. Roads and Infrastructure (A. Burke): No report
- H. Village Hall and Grounds (C Schofield): No report.

12. OLD BUSINESS

A. CONSIDERATION OF AN ORDINANCE AMENDING VILLAGE CODE - STOPPING, STANDING OR PARKING:

Mr. Martin reported the Board considered and tabled this item last month for further revisions to the proposed Ordinance. The ordinance is being amended to allow parking only on driveways in residential districts, thereby prohibiting vehicle parking in the grass anywhere on a residential lot. Following discussion at the June meeting, the Board came to a consensus to revise the amendments to include exceptions and time limits. Mr. Bateman gave a detailed explanation on the revisions for gravel driveways and temporary parking.

Board Discussion

Discussion was held regarding properly parking on the side of a road and Mr. Bateman confirmed there is no specific parking restriction for Old Barrington Road.

Board Action

A motion was made by Trustee Schofield and seconded by Trustee Raclaw to approve Ordinance No. 2011-O-18, an Ordinance Amending Chapter 3 of Title 5 of the Village of Lake Barrington Village Code (RE: Section 5-3-1, "Stopping, Standing or Parking")

Upon roll call the vote was:

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

President Richardson declared the motion carried.

13. ORDINANCES

A. CONSIDERATION OF AN ORDINANCE TO GRANT A SPECIAL USE PERMIT – BARRINGTON AUTO DETAILING – 9 HILLSIDE DRIVE, UNIT C

Pablo Gonzalez, Owner, introduced himself, and explained he and his brother are requesting a special use permit to wash and detail cars.

Mr. Martin reported the public hearing was held June 9 and June 23. The Plan Commission voted unanimously to recommend approval of a special use permit to allow for the operation of Barrington Auto Detailing, a vehicle wash and detailing business. He provided information regarding conditions of the special use permit.

Board Discussion

President Richardson and members of the Board welcomed the business and thanked Mr. Gonzalez for choosing Lake Barrington as the location of his new business.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee DeJesu to approve Ordinance No. 2011-O-17, an Ordinance Granting a Special Use Permit to Permit a Vehicle Washing and Detailing Business on the Property at 9 Hillside Drive, a/k/a 28608 Hillside Drive, Unit C.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

14. NEW BUSINESS

A. CONSIDERATION OF RESOLUTION RE: TALLGRASS LETTER OF CREDIT

Mr. Martin provided the following summary. The Village called a portion of the letter of credit in the amount of \$626,545.50 due to the developer being in default to complete the required improvements and the letter of credit was about expire without being extended. The amount that was drawn was based on estimates, determined by Gewalt Hamilton, to complete the work. A request was made to cancel and release the remaining unused portion of the letter of credit, \$582,713.50.

Mr. Bateman further explained the actions taken by the Village to call the Letter of Credit, that the bank's point of view was that an outstanding balance existed and it requested a formal release of obligation for that balance.

Board Discussion

Discussion was held regarding the work that needs to be done, and the request for proposal and bidding process the Village is conducting to get the work completed.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Raclaw to approve Resolution No. 2011-R-16, a Resolution to Approve Cancellation and Release of Letter of Credit (Re: Tallgrass Subdivision)

Upon roll call the vote was:

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

President Richardson declared the motion carried.

15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

None

President Richardson announced the Board would be entering closed session and that action would be taken.

16. CLOSED SESSION

Board Action

At approximately 7:55 p.m., a motion was made by Trustee Schofield and seconded by Trustee Raclaw That A Portion of The Meeting Be Closed To The Public, Effective Immediately, To Discuss Matters of Personnel, and/Or To Discuss Possible Real Estate Acquisitions, and/Or To Discuss Litigation Involving an Action Against This Municipality Which Is Pending in Court Or in an Administrative Tribunal, and/Or To Discuss Such Litigation Which Is Probable Or Imminent, the Board finding that Based

Upon Advice of Counsel, Litigation is Probable or Imminent as to those Matters so Identified on the Record in Such Closed Session for the Reasons therein Stated.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

The Board reconvened at 8:23 p.m. with all members present as the original roll call.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

A. CONSIDERATION OF A RESOLUTION REGARDING CLOSED SESSION MINUTES

Board Action

A motion was made by Trustee Schaller and seconded by Trustee DeJesu to pass Resolution No. 2011-R-17, a Resolution Regarding the Release of Closed Session Minutes.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

18. OTHER

19. 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 8:24 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary