

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD FEBRUARY 5, 2013**

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, February 5, 2013, and was called to order by President Richardson 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, Mitchell, Schofield, 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 denied the opportunity 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 Raclaw and Schaller

Staff Present: Village Administrator Martin, Village Accountant Vernon,
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 Board of Trustees Meeting Held on January 8, 2013

Board Action

A motion was made by Trustee Schofield and seconded by Trustee Burke 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. Legislative Report – Don Storino, Fidelity Consulting Group

Mr. Storino provided his legislative report by telephone, because he is in Springfield for the legislative session. In January, no significant action was taken and legislators were sworn in. Half of the bills that have been introduced are shell bills. He will have better cues about the session following the Governor's upcoming State

and budget addresses. He highlighted the bills and issues of interest, most of which were not directly impactful to municipalities.

President Richardson commented on last weekend's BACOG/LCML Legislative Breakfast and the concerns addressed by municipalities to legislators regarding threats by the State to limit local authority and to take more LGDF funds. Mr. Storino affirmed that there are serious threats to local governments and that the Governor's budget address will give a better idea to what degree and priority those threats will be. President Richardson asked Mr. Storino to look for municipal elements from the budget address.

- B. Other: Lauren Fleming, IL Comptroller's Office Public Affairs Manager for this region was introduced. Ms. Fleming shared information and answered questions regarding programs the Comptroller's Office offers to municipalities and local businesses.

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

None

7. CONSENT AGENDA

- A. Approve Salvation Army two annual fundraisers for 2013: 1) Donut Day on June 7 and 8, and 2) Red Kettle Campaign on November 15 through December 24.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Schofield to approve the Consent Agenda, item 7A above.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

8. TREASURER'S REPORT:

Ms. Vernon provided the following report:

- A. The first eight months ending December 31, 2012 comprises of 67% of the fiscal year. The General Fund, assets, liabilities and equity decreased 38% compared to last year due to called letter of credit funds for the Northpointe and Tallgrass projects along with the dump truck purchase. The letter of credit and road projects plus the dump truck purchase were planned expenses with dedicated funding over and above the recommended fund balance reserve of 66%. Revenues are at budget or above, and the expenses thus far are in line with the budget. The Motor Fuel Tax Fund and Water and Sewer Fund balances were reviewed and are available for future projects as needed.

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

Board Discussion

Trustee Mitchell thanked Ms. Vernon for providing reference points in the written report to better follow her verbal report.

Board Action (A-C)

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

- A. Approve the Financial Statements as of 12/31/2012.
- B. Pay Bills in the amount of \$ 198,981.85 as Listed on the Accounts Payable Warrant "A" Dated February 5, 2013.
- C. Pay Bills in the amount of \$23,731.27 as Listed on the Accounts Payable Warrant "B" Dated February 5, 2013.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

9. ADMINISTRATOR'S REPORT

Mr. Martin reported on the following:

A. Veterans of LBS – Request re: LBS Memorial Day Ceremony

Ms. Peterson reported that when the Veterans of LBS were honored last year, the group was asked to consider opening their ceremony to the Lake Barrington community. John Betzold, Charlie Foos and Tom Gilder attended on behalf of the Veterans of LBS. They presented a video showing highlights from the 2012 Memorial Day ceremony. They shared information regarding past attendance and the ceremony which includes food, a live concert band and seating. They indicated they are ready to open the event to the Lake Barrington community and that they will need funding and communications support from the Village. They determined \$3,900 would be needed to cover an additional 300+ people based on their projected attendance. If the Village would like the group to proceed, they will ask the LBS Master Board for its okay to open LBS for the event.

Board Discussion

Board members complimented the program. Upon inquiry, it was confirmed the ceremony is paid through contributions and that there is no fee to attend. Discussion was held and comments made regarding what would be done if there is inclement weather, the scope of the event, confirmation of the request for support, and other options that can be considered. President Richardson reflected on his respect and admiration for those who serve our country. He noted that if there are no Village resources, then funds would be sought within the range of what was presented.

- B. OSLAD Update: All of the bids that were submitted at last month's bid opening were rejected, because all were received above the engineer's estimate. Staff is working with the consultants and the Village Engineer to redesign and rebid the project.
- C. Woodland Bridge Update: The reconstruction of the bridge is starting around March 1. Notification will be sent to nearby residents and signage will be established prior to the start of the project. The bridge is being done one lane at a time and is anticipated to be completed at the beginning of July. Federal and local funding were reviewed.
- D. Lawn Watering Ordinance – Discussion: The Northwest Water Planning Alliance (NWPA) Draft Regional Water Conservation Lawn Watering Ordinance that was provided by BACOG was discussed. Upon inquiry, Trustee DeJesu suggested introducing a resolution with stronger language related to private wells, for example, to replace “may not” to “should not”. She also suggested language to address the commercial park and LBS.

Trustee Mitchell concurred the Village needs to move forward with this issue and he shared highlights of the discussion held at the BACOG meeting.

The ordinance is aggressive in establishing a water conservation system for a public water supply and also proposes regulations applicable to private wells that share the same aquifer. If passed, it would apply to private institutional wells as well. The Village would be in a better position to defend the recommended model ordinance, because the Village is a home rule community and because there is no established statutory authority relative to the use of private wells which could present challenges. The NWPA ordinance is similar to the Barrington ordinance. President Richardson suggested the Village have a similar color coded system, though not a mandatory one. He asked staff and Trustee DeJesu to refine the language for Mr. Bateman's review.

- E. Broadcast of Village Board Meetings – Update: Staff is testing a digital analog converter at this meeting and will be checking on reported changes at the cable broadcast head end.
- F. Other: None.

10. CLERK'S REPORT

Ms. Peterson reported on the following:

- A. Village Hall Closed February 18, 2013 in Observance of Presidents Day
- B. BACOG Well Water Quality Testing Event
- C. Paws 4 Pals Event for The Tower of Hope – February 9, 1:30 pm at LBS: Tom Gilder, Veterans of LBS, shared information regarding the event which is raising funds for The Tower of Hope, an organization that trains and provides service dogs to wounded veterans. A wounded veteran and his service dog are being honored at the event.
- D. CERT Training Spring Session
- E. Other

11. REPORTS OF STANDING COMMITTEES

- A.** Communications and Community Relations (C. Mitchell): Trustee Mitchell reported on a new interactive, web-based information resource for the Barrington area. A draft social media policy was distributed for review. He is researching what social media is being engaged by neighboring governments. There is great opportunity for the Village in social media, and the risk for problems is lessened with established policy. He reviewed action he and staff have taken to secure domain names for different sites while the policy was being established. Mr. Bateman will review the policy and draft it in ordinance form for consideration.
- B.** Environment & Open Space (L. DeJesu): Trustee DeJesu provided information regarding the CFC Great Backyard Bird Count being held at Citizens Park on February 16.
- C.** Finance, Human Resources and Economic Development (D. Raclaw): Trustee Burke reported the Roads and Infrastructure Committee met with the Finance Committee. He provided highlights regarding current financial status, forecasts and discussion from the meeting. There will be much less funding available for infrastructure projects compared to recent years. He thanked staff.
- D.** Gated Communities (J. Schaller): No report.
- E.** Public Safety (J. Schaller): No report.
- F.** Intergovernmental & External Relations (K. Richardson): President Richardson indicated Mr. Storino provided a report earlier in the meeting.
- G.** Roads and Infrastructure (A. Burke): Trustee Burke reviewed that the Committee met to review infrastructure and it was determined that needs are not great at this time. However, decisions need to be made regarding other sources of funding for future projects, and how to prioritize and implement the projects. The Roads and the Finance Committees will be looking closely at these issues to bring back to the Board for review.

Mr. Martin commented on past funding options that were used and the impact of lesser funding for the future compared to the pace of work the Village kept the last few years. Upon inquiry, he replied that \$100,000-120,000 comes annually from the Motor Fuel Tax Funds which is earmarked for road projects, but it takes a couple of years to build enough funds to complete work in a neighborhood. There will be a financial planning workshop prior to the Board meeting in March.

President Richardson commended Trustee Burke's leadership with the infrastructure planning. The Village is operating on a lean budget. He reflected on the good experience the Village has had with engaging the community for different topics in the past and that the Village should consider presenting Board recommendations to the public after options are reviewed.

- H.** Village Hall and Grounds (C Schofield): No report.

12. OLD BUSINESS-None

13. ORDINANCES

A. CONSIDERATION OF A THIRD AMENDMENT TO LEASE FOR THE FARMHOUSE PROPERTY LOCATED AT 23585 KELSEY ROAD

Mr. Martin reported that a considerable amount of work is being done at the farm this summer and that there have been no issues with the tenant. Staff is recommending extension of the lease for a term of one year at the same rent, \$1,625 per month. The occupant has been notified of the OSLAD grant work.

Board Action

A motion was made by Trustee Mitchell and seconded by Trustee Schofield to pass Ordinance No. 2013-O-02, An Ordinance Approving and Authorizing a Third Amendment to Lease of Real Property by the Village of Lake Barrington, Lake County, IL (Re: The Two-Story Frame, Single-Family Residence Located at 23585 N. Kelsey Road, Lake Barrington, IL)

Upon roll call the vote was:

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

President Richardson declared the motion carried.

B. CONSIDERATION OF AN ORDINANCE TO ESTABLISH AN ADMINISTRATIVE ADJUDICATION SYSTEM

Mr. Martin reviewed that the Board directed staff to proceed with establishing an administrative adjudication system, also known as a "local court", following a presentation and discussion at the November 2012 Board meeting. The Village has a volume of two to eight cases a year and that money can be saved by working with the Village of Barrington who have had a system in place for about a year

Mr. Bateman informed the Board that the ordinance establishes a Lake Barrington Administrative Adjudication System and a Code Hearing Department to handle violations of the Village Code. It also allows the System to be established through another municipality by using the System of that particular village. Mr. Bateman stated that he will not be involved in the preparation of work with the intergovernmental agreement, because he represents both Villages. He encouraged Mr. Martin to speak with Barrington's Village Manager and Chief of Police. This type of system does not allow a hearing officer to issue injunctive relief nor can people be punished by time in jail. There is a significant advantage with such a system, because fines entered are equivalent to a circuit court judgment and can be collected in the same way as a court judgment. The Village will be selective in sending certain cases to court if it is determined injunctive relief is needed.

Board Discussion

Mr. Martin confirmed that the Board is only considering at this meeting the Ordinance to establish the system and that the resolution and intergovernmental agreement provided in the Board folder will be considered at a future meeting following review by both Villages. Upon inquiry, Mr. Bateman explained the language in the draft resolution for the intergovernmental agreement where it indicates the home rule and non-home rule status for each respective Village.

Board Action

A motion was made by Trustee DeJesu and seconded by Trustee Burke to pass Ordinance 2013-O-03, an Ordinance Establishing an Administrative Adjudication System and a Code Hearing Department.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

14. NEW BUSINESS

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

Mr. Martin indicated 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 years, the Village has received revenue, but due to the current economic conditions no projects were completed that required Activity Bond Clearinghouse Volume Cap for 2012. Lake County Partners aggregate the volume cap on behalf of municipalities. Lake Barrington does not have projects to be able to use the bond allocation.

Mr. Bateman further explained the Private Activity Bond Allocation program authorizes villages to use bonding authority to support a private commercial project which would otherwise not be considered tax exempt.

Board Action

A motion was made by Trustee Mitchell and seconded by Trustee DeJesu to pass Resolution No. 2013-R-04, A Resolution Reallocating the Village of Lake Barrington 2013 Volume Cap to the Village of Buffalo Grove, Illinois.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD

None

16. CLOSED SESSION

Mr. Martin informed the Board it would not need to go into closed session.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

None

18. OTHER

None

19. ADJOURNMENT: A motion was made by Trustee DeJesu and seconded by Trustee Burke to adjourn the meeting, which was approved by a unanimous voice vote, whereupon the meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary