

**VILLAGE OF LAKE BARRINGTON  
MINUTES OF THE RESCHEDULED MEETING  
OF THE BOARD OF TRUSTEES HELD DECEMBER 3, 2013**  
*Approved*

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**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, December 3, 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 Daulton Lange, Mitchell, Raclaw, Schaller, Schofield, and President Richardson.

The following Trustee was 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: Trustee Burke

**Staff Present:** Village Administrator Martin, Village Treasurer Hirsch, and Village Clerk Peterson

**Others Present:** Village Attorney J. Bateman and Zoning Board Member Fortman

The meeting was heard out of sequence.

**3. PLEDGE OF ALLEGIANCE**

**4. CONSIDERATION OF MINUTES**

A. Minutes of the Board of Trustees Meeting held November 5, 2013.

**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 all ayes with Trustee Daulton Lange abstaining. President Richardson declared the motion carried.

## **5. PRESIDENT'S REMARKS (President Richardson)**

### **A. Tallgrass Status Report, Kevin Rische, Trillium Native Landscapes**

Mr. Rische reported on the Tallgrass berm and landscaping restoration project. He reviewed the types and species of plantings, maintenance work, and impact of last year's extreme drought. He noted some plants need more than one growing season to germinate and mature. He expects next year will be outstanding and he noted the aesthetics will get better over time.

President Richardson stated he has received compliments from people who formerly criticized the berm landscaping and the project's progress.

#### **Board Discussion**

Upon inquiry, Mr. Rische spoke of the plant diversification and he shared information on the type of herbicide that is used and the manual application used to target weed plants. Discussion was held on restoration and preservation of open space areas as well as the proliferation of invasive non-native plants in the region.

Mr. Martin reported Lake County is identifying areas, such as the triangle at Kelsey and Miller Roads, and asking municipalities to plant and maintain native species at their expense at those identified areas.

Mr. Rische will provide a preview report in the spring.

### **B. Flint Creek Watershed Partnership, Dr. Kurt Thomsen, Executive Director**

Dr. Thomsen introduced himself as the new Executive Director replacing Patsy Mortimer who retired this year. He spoke about how urbanization has contributed to watershed problems that result in stormwater issues and associated water quality degradation. He reviewed projected decreases in groundwater levels, and shared the history of the partnership since its inception in 2005. He talked about the future direction of the group to be proactive and focus on the many detention basins and retention ponds in the area as well as look at installation of recharge basins. He spoke of the work that is currently being done and planned projects including installation of a stream gauge on the Kelsey Road bridge and groundwater monitoring for which the FCWP is seeking grants. Due to the new and planned programs the FCWP is requesting an increase in membership dues to \$1,500.

Discussion was held on water flow towards the Fox River and need to build recharge areas and maintain wetlands. Mr. Hamelberg, member of the FCWP Management Committee, noted Mr. Martin's consistent attendance, and he spoke about the current membership and new entities they are approaching for support. He reviewed the budget and grants and the need to raise funds through an increase in dues and membership.

Upon inquiry, it was confirmed the increase in dues is being spread evenly amongst the members and that South Barrington is not a member, because they are not in the watershed.

President Richardson announced that without objection and with concurrence of the Board, authorization is being given to pay the Flint Creek Watershed Partnership invoice in the amount of \$1,500.

**C. Presentation of Groundbreaking Ceremony Shovel, Sandie Kosinski, The Enclave of Heritage Estates/Kinzie Real Estate Group**

On behalf of BMO Harris and the Kinzie Real Estate Group, Jeanne Martini, Managing Broker, Kinzie Real Estate Group, presented a shovel from the October groundbreaking ceremony to the Village. She expressed appreciation for the Village's support and cooperation. She reported on sales progress noting fantastic new citizens will be moving into the community. Upon inquiry, she confirmed existing residents are being informed through the HOA. The model home is expected to be completed next spring.

**D. BACOG Legislative Platform – Trustee Chris Mitchell, Member, BACOG Legislative Committee**

Trustee Mitchell reported the BACOG Legislative Platform was developed through consensus amongst the BACOG members. He reviewed the proposed platform. The BACOG Legislative Committee reorganized its approach to reach out to legislators by assigning specific committee members to state legislative committees.

Upon inquiry, Trustee Mitchell reported on the successful efforts by BACOG and area residents to work with the County on the parameters for potential development at Old McHenry Road and Route 12.

**Board Action**

A motion was made by Trustee Daulton Lange and seconded by Trustee Raclaw to pass Resolution 2013-R-24, a Resolution concerning the BACOG 2014 Legislative Platform.

Upon roll call the vote was:

Yeas: Trustees Daulton Lange, Mitchell, Raclaw, Schaller, Schofield, and  
President Richardson.

Nays: None

Abstain: None

Absent: Trustee Burke

President Richardson declared the motion carried.

**E. Other**

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

None

**7. CONSENT AGENDA**

**A. Approve the Village Board and Plan Commission 2014 Regular Meeting Schedule**

Mr. Martin indicated the June meeting is on the first Wednesday of the month due to the LBS Annual meeting and the November meeting is on the first Wednesday of the month due to Election Day.

**Board Action**

A motion was made by Trustee Schaller and seconded by Trustee Schofield to approve the Consent Agenda, item 7A above. The voice vote was unanimous and President Richardson declared the motion carried.

**8. TREASURER'S REPORT:**

Village Treasurer Hirsch reported on the following:

**A. Approve the Financial Statements as of 10/31/2013.**

The financial statements for the first six months ending October 31, 2013 of Fiscal Year 2014 were reviewed.

**General Fund**

The balance sheet was reviewed and noted as appropriately in balance. Net income was \$195,000. Regular operations net income was \$303,000 as compared to \$285,000 in 2012.

**Actual to Budget**

As of October 31, 2013, Actual to Budget revenues were 62% of budget and Actual to Budget Expenses were 52% of budget which are in line with 6 months of the fiscal year completed at 50%.

Ms. Hirsch noted Real Estate Tax Revenue is at 98% of budget and the balance of \$10,000 was due to be received in November with no more property taxes to be received until June 2014. It is expected the 79% cash surplus will drop slightly as expenses are paid without property tax revenues coming in until June. She also pointed out the utility tax revenue increased in October from September due to the utility tax ordinance passed in August. This will help build up the surplus.

She reported on the Barn Stomp expenses. Mr. Martin indicated this item will need to be examined during fiscal planning. Board members commented on the costs and how much residents enjoy the event.

Concern was expressed for the finances through the end of the year with a large percentage of revenues collected. Upon inquiry, Mr. Martin explained what Motor Fuel Tax funds are used for and he reported there are enough MFT funds to pay for the road program and the Woodland Bridge project. Payment for the Woodland Bridge is being held until restoration work is completed satisfactorily.

The Water/Sewer Fund has \$699,000 for future capital as needed. Upon inquiry, Mr. Martin explained what expenses the fund can be used for and that the Capital Improvement Plan included in the annual financial plan document shows a timeline of anticipated improvements which the money is reserved for. The fund prevents use of general funds for the plant. The water rates were changed in 2006 following a water rate study that was completed to get the reserve fund established.

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

**Board Action (A-C)**

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

- A. Approve the Financial Statements as of 10/31/2013.
- B. Pay Bills in the amount of \$ 132,632.67 as Listed on the Accounts Payable Warrant "A" Dated December 3, 2013.
- C. Pay Bills in the amount of \$ 85,349.55 as Listed on the Accounts Payable Warrant "B" Dated December 3, 2013.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**9. ADMINISTRATOR'S REPORT**

Mr. Martin reported on the following:

- A. Recognition of Gewalt Hamilton: Mr. Martin announced Bob Hamilton of Gewalt Hamilton was honored by the American Society of Civil Engineers.
- B. Freier Farm Park: Electrical issues at the park are being repaired and will be back online tomorrow. Work is being done on the plumbing system. The final punch list is due next week. A meeting is scheduled to discuss policies and procedures for the park which will be followed with the installation of a sign at the park.
- C. Plan Commission: A meeting is being scheduled for discussion of medical marijuana dispensaries due to changes in state law. Mr. Bateman explained that state statute prohibits municipalities from unreasonably restricting licensed locations. He briefed the Board on the statute as it relates to dispensaries and cultivation operations and he provided suggestions to keep the Village in compliance. He confirmed that the state statute has prescribed distances from schools, but they do not apply to locations identified for future schools. More information will be developed as the program proceeds.
- D. Other: None.

**10. CLERK'S REPORT**

Ms. Peterson reported on the following:

- A. Holiday Waste Collection Schedule
- B. Veterans of LBS Food Pantry Drive Report: The Veterans of LBS indicated approximately 1,650 pounds of goods were collected for the Cuba Township Food Pantry, a 25% increase over last year. Ms. Peterson thanked the Veterans of LBS and residents for their generosity.
- C. Vehicle Stickers: The 2014-2015 vehicle stickers are available. They are not mandatory and are provided as a resident amenity to possibly avoid citations.
- D. Other: None.

Trustee Daulton Lange reported her husband is pleased with the new toter bins which have reduced flyaways from the old bins. Mr. Martin indicated staff and Waste Management are working on LBS replacements and that Waste Management has been exceptional to work with.

## **11. REPORTS OF STANDING COMMITTEES**

President Richardson called a recess at 8:31 p.m. and the Board reconvened with all members present as the original roll call at 8:39 p.m.

- A. Communications and Community Relations** (C. Mitchell): Trustee Mitchell will provide a presentation on branding next month.
- B. Economic Development** (A. Burke): President Richardson reported he and Trustee Burke met with Bill Noyes regarding the property at Kelsey Road and Route 14. He looks forward to his partnership with the Village.
- C. Environment & Open Space** (C. Schofield): Trustee Schofield has no report. President Richardson mentioned people are excited about Freier Farm Park. Mr. Martin reported water access needs to be finished first before installing the ice rink and he noted staff toured the park with IMLRMA which provided tips on managing the park. IMLRMA did not raise any concerns. The sledding hill will be self-regulated.
- D. Finance, Human Resources and Village Facilities** (D. Raclaw): Trustee Raclaw reported Ms. Hirsch is doing a fabulous job and that he is impressed with what she has been doing. He noted the Board would be entering closed session to discuss Mr. Martin's performance. Mr. Martin stated the community room is scheduled to be painted and that room darkening blinds will be installed for presentations.
- E. Gated Communities** (J. Schaller): Trustee Schaller reported LBS is moving ahead with a long range plan to remodel the Rec Center. He thanked Lake County Board Member Nick Sauer and the Cuba Township Road District for the recycling event held in LBS.
- F. Public Safety** (J. Schaller): Trustee Schaller reported the Board would be considering the Lake County Sheriff contract later in the meeting. A Neighborly Awareness informational meeting with Deputy Buchberger is set for January 22, 2014 at 7 p.m. He and staff are trying to get the word out to subdivisions and individual LBS condo associations to participate. He is reaching out to a Beach Park trustee that is overseeing the program in his Village.
- G. Intergovernmental & External Relations** (K. Richardson): President Richardson noted Trustee Mitchell briefed the Board on the proposed BACOG Legislative Platform earlier in the meeting. President Richardson reported Congressman Roskam met with local leaders. Water protection was the predominant topic. Rep. Roskam indicated there is not a lot of federal funding available for groundwater protection. President Richardson is going to spend an extra day in Springfield, at his expense, following a business trip to call on the IEPA and IDOT on behalf of the Village. Pension reform passed in both chambers today. The consensus of some organizations is that the legislation is not perfect but is an important step forward though not enough. He shared some points and impacts of the legislation. He also commented on the City of Detroit declaring bankruptcy.

H. **Roads and Infrastructure** (K. Daulton Lange): Trustee Daulton Lange reported she and Mr. Martin will be meeting with the Village engineer to discuss drainage and road projects.

12. **OLD BUSINESS-None**

13. **ORDINANCES**

A. **CONSIDERATION OF AN ORDINANCE AMENDING TITLE 3, PUBLIC HEALTH AND SAFETY RE: COMPLIANCE WITH EXCLUSIVE REFUSE AND RECYCLING CONTRACT REQUIRED**

Mr. Bateman indicated the Ordinance updates the municipal code to name Waste Management as the sole residential waste hauler in the Village.

**Board Action**

A motion was made by Trustee Daulton Lange and seconded by Trustee Schofield to adopt Ordinance 2013-O-18, an Ordinance Amending Title 3, Public Health and Safety - Section 3-2-3, "Compliance with Exclusive Refuse and Recycling Contract Required"

Upon roll call the vote was:

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

President Richardson declared the motion carried.

14. **NEW BUSINESS**

A. **CONSIDERATION OF A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR CONTRACT POLICE SERVICES BY & AMONG THE VILLAGE OF LAKE BARRINGTON, THE VILLAGE OF NORTH BARRINGTON, THE COUNTY OF LAKE, AND THE LAKE COUNTY SHERIFF**

The Villages of Lake Barrington and North Barrington desire to renew their Intergovernmental Agreement with the County of Lake and the Lake County Sheriff for Police Services for the period from January 1, 2014 through December 31, 2016. The contract provides for an average 4% increase in cost annually as noted below. North Barrington has approved the contract.

Year	Total
2014	\$438,826.20
2015	\$454,841.10
2016	\$474,586.14

Trustee Schaller and Mr. Martin agreed the Lake County Sheriff's Department provides exceptional service.

### **Board Discussion**

Upon inquiry, Mr. Bateman explained the Village gets a portion of the fines outside of court administrative costs from tickets written by the Lake County Sheriff's deputies and he further noted that adjudication cannot be used for moving violations or violations involving the movement of vehicles. Mr. Martin shared the approximate annual revenues from fines and confirmed the contract includes having the Village name on the patrol vehicle.

### **Board Action**

A motion was made by Trustee Schaller and seconded by Trustee Schofield to adopt Resolution No. 2013-R-25, a Resolution Approving an Intergovernmental Agreement for Contract Police Services By and Among the Village of Lake Barrington, the Village of North Barrington, the County of Lake, and the Lake County Sheriff.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

### **B. CONSIDERATION OF A RESOLUTION TO EXTEND CONTRACT FOR LOBBYING SERVICES - FIDELITY CONSULTING GROUP**

Mr. Martin told the Board the Village's contract with Fidelity Consulting Group for lobbying services is expiring December 31, 2013. The agreement extends the term of the contract to December 31, 2014. The terms are the same as the previous contract, \$36,000 per year. Fidelity Consulting Group helped bring in approximately \$1.2 million in grants and other funding and recently assisted the owner of a new Lake Barrington restaurant with the Illinois Liquor Control Commission process.

### **Board Action**

A motion was made by Trustee Daulton Lange and seconded by Trustee Raclaw to pass Resolution No. 2013-R-26, a Resolution to Extend the Term of a Lobbying Services Agreement with Fidelity Consulting Group, LLC Relative to the Village's Environmental and Water Quality Policy and Transportation Policy to December 31, 2014.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**C. CONSIDERATION OF RESOLUTION TO EXTEND A LETTER OF CREDIT – ENCLAVE**

The Resolution provides for the extension of the Enclave subdivision letter of credit in the amount of \$ 475,687.00 for the purpose of ensuring the completion of public or quasi-public improvements. Mr. Bateman reported the extension was already sent to the Village and he confirmed the Village engineer provides an estimate that establishes the amount of the letter of credit.

**Board Action**

A motion was made by Trustee Schaller and seconded by Trustee Mitchell to pass Resolution No. 2013-R-27, A Resolution Approving Extension of Time for a Performance Guarantee – Enclave of Heritage Estates Subdivision.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD**

None

**16. CLOSED SESSION**

**Board Action**

At approximately 9:05 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 [5 ILCS 120/2 (c) (1)], to discuss matters of Litigation Which is Pending or Which is Probable or Imminent [5ILCS 120/2 (c)(1)] as to those matters so identified on the record in such Closed Session for the reasons therein stated, and to discuss the Purchase of Lease of Real Property for Use of the Public Body [5 ILCS 120/2(c)(5)].

Upon roll call the vote was:

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

President Richardson declared the motion carried and that there may be action following closed session. Mr. Martin and Ms. Peterson were excused from the remainder of the meeting. He called a five minute recess.

The Board reconvened at 9:26 p.m. with all members present as the original roll call and Mr. Bateman appointed as recording secretary.

**18. ACTION TO BE TAKEN FROM CLOSED SESSION**

**A. CONSIDERATION OF A COMPENSATION ORDINANCE RE: VILLAGE ADMINISTRATOR**

**Board Action**

A motion was made by Trustee Raclaw and seconded by Trustee Schaller to adopt Ordinance 2013-O-19, an Ordinance Regarding the Village Administrator's Compensation.

Upon roll call the vote was:

Yeas: Trustees Daulton Lange, Mitchell, Raclaw, Schaller, Schofield, and  
President Richardson.

Nays: None

Abstain: None

Absent: Trustee Burke

President Richardson declared the motion carried.

**19. OTHER**

None

**20. ADJOURNMENT: A motion was made by Trustee Schaller and seconded by Trustee Raclaw to adjourn the meeting. President Richardson declared the motion carried, whereupon the meeting was adjourned at 9:27 p.m.**

Respectfully submitted,

Loretta Peterson  
Village Clerk  
Recording Secretary

James P. Bateman  
Village Attorney  
Recording Secretary