

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES HELD DECEMBER 2, 2014**
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, December 2, 2014, 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, 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: None

Staff Present: Village Administrator C. Martin, Village Treasurer P. Hirsch, and Village Clerk L. Peterson

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

3. PLEDGE OF ALLEGIANCE

The meeting was heard out of sequence.

4. CONSIDERATION OF MINUTES

A. Minutes of the Board of Trustees Meeting – November 5, 2014

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Schofield to approve the minutes, Item 4 A above. The voice vote was all ayes. President Richardson declared the motion carried.

5. PRESIDENT'S REMARKS (President Richardson)

A. Barrington Area Council on Aging – Joyce Palmquist, Executive Director

Ms. Palmquist thanked the Board for their continued support. She provided information on BACOA programs and she shared a report on services provided specifically to Lake Barrington residents.

Board members individually expressed appreciation. Ms. Palmquist answered questions regarding case management services and the Meals on Wheels program. Trustee Schofield who is involved with BACOA commented on the positive impact the small staff has on a large number of people in the community.

Ms. Palmquist answered inquiries regarding PACE Bus ridership which was impacted by the severe winter weather and increase in rider paid fees. There has been positive progress in the last couple of years for the program including a good working relationship with PACE and participation from all of the villages.

Trustee Mitchell announced he will no longer be advocating before the Board any expansion of funding or services for BACOA, because he is now employed by BACOA.

The Board came to a consensus to vote on giving general direction to staff to provide a contribution, and on Agenda Item 13A, PACE Bus intergovernmental agreement. Ms. Palmquist confirmed the Village of Barrington supported the PACE Bus program this year and that support for next year was on its consent agenda for their next meeting. She provided details on funding levels.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Schofield, in block, to:

- 1) Agenda Item 5 A:
Have staff provide a similar contribution to BACOA in total as in previous years; and
- 2) Agenda Item 14 A:
Pass Resolution No. 2014-R-18, A Resolution Approving a Certain Intergovernmental Agreement Among Barrington Township, Cuba Township, and the Village of Lake Barrington To Provide For Contribution Under A Local Share Agreement With Pace For Senior/Handicapped Bus Service.

Upon roll call the vote was:

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

Nays: None

Abstain: Trustee Mitchell

Absent: None

President Richardson declared the motion carried.

B. BACOG Legislative Platform – Trustee Chris Mitchell, Member, BACOG Legislative Committee

Trustee Mitchell reviewed the Platform. President Richardson mentioned the Village typically supports the BACOG Lobby Day in Springfield and he noted Janet Agnoletti, BACOG Executive Director, advocates on behalf of the region. Trustee Burke thanked Trustee Mitchell for his participation with BACOG's Legislative Committee.

Board Action

A motion was made by Trustee Daulton Lange and seconded by Trustee Mitchell to pass Resolution No. 2014-R-19, a Resolution Concerning the BACOG 2015 Legislative Platform.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

C. 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 2015 Regular Meeting Schedule

Board Action

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

Upon roll call the vote was:

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

President Richardson declared the motion carried.

8. TREASURER'S REPORT:

Village Treasurer Hirsch reported on the following:

A. Pass Ordinance No. 2014-O-20, a Tax Levy Ordinance for Fiscal Year 2014/2015

B. Approve the Financial Statements as of 10/31/2014.

The unaudited financial statements were for the six months ended October 31, 2014 of the fiscal year 2015.

Equity was at \$ 1,550,000. Extraordinary expenses were mainly for road maintenance. The quarterly Non-MFT Road Maintenance Account report was reviewed. The General Fund Net Income for Regular Operations was \$ 408,000 for six months through October 31, 2014 compared to \$306,000 at this time last year. The balance sheet was reviewed and noted as appropriately in balance.

Actual to Budget

At the end of the sixth month of fiscal year 2015 or 50% of the year, Actual to Budget Revenues were 58% of budget due mostly to timing with all real estate taxes received. Actual to Budget Expenses were approximately 55% of budget.

Motor Fuel Tax Fund: There was \$219,000 cash available. Funds are being built up over the next two years for necessary road projects.

Water/Sewer Fund: There is \$924,000 available for future capital needs, as needed. The water meter replacement was completed for a total cost of \$45,884, which was slightly over projection, but under the contingency overage amount.

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

Board Discussion

Mr. Martin explained the MFT is being built up to use for a single road project, which is typically \$300,000 - \$400,000. Using the funds in this manner also simplifies the MFT process. Funds are planned to be used in 2016. Trustee Daulton Lange reported on issues with higher statewide asphalt quality failure rates. Discussion was held on the effectiveness of a pavement management study and how the road program is developed based on available funding.

Ms. Hirsch indicated the warrant was not yet reviewed, because the accountant was out ill, however, it mainly consisted of payroll and regular contracted amounts. The Board came to a consensus that following Board approval to allow the Treasurer to review the bills prior to releasing any checks.

Board Action (8 A-D)

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

- A. Pass Ordinance No. 2014-O-20, a Tax Levy Ordinance for Fiscal Year 2014/2015**
- B. Approve the Financial Statements as of 10/31/2014.**
- C. Pay Bills in the amount of \$ 209,328.94 as Listed on the Accounts Payable Warrant "A" Dated December 2, 2014.**
- D. Pay Bills in the amount of \$5,145.00 as Listed on the Accounts Payable Warrant "B" Dated December 2, 2014.**

Upon roll call the vote was:

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

President Richardson declared the motion carried.

9. ADMINISTRATOR'S REPORT

Mr. Martin reported on the following:

- A. Community Garden: Details were given about the soil improvement project. Next year's garden program will be shared in the winter newsletter and 2015 garden plots will be free to this year's gardeners. Trustee Raclaw requested larger lots.
- B. Drainage Proposal Kelsey Road - Easement Authorization: Mr. Martin shared information regarding Lake County's project to alleviate standing water in the Pheasant Ridge subdivision. The project is being conducted with no cost or expense to the Village. The Village will take ownership and maintenance of the easement after it is completed. The Board came to a consensus to provide Mr. Martin authority to sign the easement agreement.
- C. FY2016 Financial Planning Calendar was reviewed.
- D. Other: Upon inquiry, Mr. Martin indicated test flooding of the ice rink is anticipated to be conducted on Friday. Field mowing of the sledding hill is scheduled for Friday. Trustee Mitchell suggested and discussion was held regarding a tree lighting ceremony as an early winter activity at Freier Farm.

10. CLERK'S REPORT

Ms. Peterson reported on the following:

- A. Winter Holiday Waste Collection Schedule
- B. April 7, 2015 Consolidated Election Information – Candidate petition filing information was announced.
- C. Other: Mr. Martin stated information regarding the expiration of the Village's electric aggregation program will be in the next newsletter.

11. REPORTS OF STANDING COMMITTEES

- A. Communications and Community Relations (C. Mitchell): Trustee Mitchell gave the Board a communications exercise.
- B. Economic Development (A. Burke): No report.
- C. Environment & Open Space (C. Schofield): No report.
- D. Finance, Human Resources and Village Facilities (D. Raclaw): Trustee Raclaw reported the Village Administrator's performance review is upcoming.
- E. Gated Communities (J. Schaller): Trustee Schaller reported the LBS Rec Center project continues. He reflected on how a bond has grown between the residents of Lake Barrington Shores and other Lake Barrington residents and he noted that work towards being one community together should continue.
- F. Public Safety (J. Schaller): Trustee Schaller reported on BACOG's work with the National Preparedness Community program. Trustee Mitchell thanked Trustee Schaller for his work with the Lake County Sheriff's contract and encouraged

residents to report concerns about public safety response to the Village. Trustee Schaller encouraged residents to call the Sheriff if they see something unusual. Trustee Burke shared a story about how vandals were apprehended after his subdivision's neighborhood awareness contact provided information he gathered from neighbors to the Lake County Sheriff.

- G. Intergovernmental & External Relations (K. Richardson): President Richardson is attending the USCM semi-annual water conference, not at village expense. He shared information regarding drought preparation and communications to residents related to that topic for the spring. Barrington Village President Karen Darch is chairing Governor-elect Rauner's Intergovernmental Efficiencies and Local Government Transition Team.
- H. Roads and Infrastructure (K. Daulton Lange): Trustee Daulton Lange will be reporting on the 2015 Road Program in January. She spoke about the need for mapping and maintenance of Village ash trees.

12. OLD BUSINESS-None

13. ORDINANCES

A. CONSIDERATION OF AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A CERTAIN "ECONOMIC INCENTIVE AGREEMENT" BY AND BETWEEN THE VILLAGE OF LAKE BARRINGTON AND SPEEDWAY LLC

Mr. Martin reported the Village completed the process for approval of a special use for a business planned development relative to a petition from Speedway, LLC to locate at the NE corner of Route 14 and Kelsey Road. The Village Board approved the Speedway petition on November 19 following four public hearings by the Plan Commission. Typical of other similar large sales tax producers throughout Lake County, Speedway is requesting approval of an economic incentive agreement, commensurate with past Village practice and current municipal practice across the region and state, to support some of Speedway's capital investment in the property. Ms. Hirsch researched incentive agreements throughout the state.

He shared the Village's history with entering similar agreements, most recently with Fidelity Motor Group (FMG) in 2011. The Village does not consider incentives during any required zoning relief hearings in order to allow those processes to proceed unfettered. The agreement provides for a 50/50 split of the sales tax revenue up to \$80,000 for a 15 year term. Mr. Martin noted the term is longer than the FMG agreement because it is recognizing capital investment in the property and he provided a comparison of the costs of improvements and investments between Speedway and FMG. Also, the property tax EAV is estimated to increase by approximately 600% providing property tax revenue to the Village and other taxing bodies such as the school district.

Refer to Item 13B for Board Discussion and Board Action.

B. CONSIDERATION OF AN ORDINANCE AMENDING THE LAKE BARRINGTON VILLAGE CODE RELATIVE TO THE CREATION OF A CLASS "N" LIQUOR LICENSE.

Mr. Martin reported the ordinance creates a new Class "N" liquor license authorizing the retail sale in a gas station and convenience stores of beer and/or wine in the

original package container but not for consumption on the premises. The hours are similar to the other comparable retail licenses. This ordinance does not issue a license; it only creates the new class. The necessary application, background check processes and Board approval must be completed prior to a license being issued. It is a similar class to the LB Mart, but is limited to sales of beer and wine.

Trustee Burke recused himself from Board discussion for both items 13 A & 13 B and he indicated he would abstain from voting on these items. His company doesn't do business with Speedway, however, he knows people who work for Speedway, because he works in a related industry. Even though the Village Attorney advised there would no conflict, he wants to avoid the appearance of conflict,

Public Comment - Items 13 A & B

Jim Foote, Lake Barrington resident, felt it was unnecessary to have an incentive agreement, because it was not required to have one and that it would be unlikely for Speedway to not proceed. He commented on the sales tax revenue projections provided by Speedway. He questioned how the rebate was structured and felt the Village should incentivize achieving higher sales tax revenues than what was anticipated. He requested the Board not to approve the incentive agreement with Speedway.

Jay Gerak, Linden Drive, affirmed what Mr. Foote said. He questioned the timing of the consideration of the economic incentive agreement and the need for such an agreement. He indicated a resident was asked to submit a FOIA request in writing after the person requested a copy of the agreement. He asked the Board to delay voting on the item and allow residents to review the agreement and findings of fact to provide input.

Mr. Bateman and Mr. Martin provided background information related to the economic incentive agreement.

Roger Tatum, Lake Barrington resident, questioned the amount of estimated sales tax revenue that was communicated at the Plan Commission and the Board meetings.

Mr. Bateman indicated an updated draft agreement was provided at this meeting. He shared the necessary findings related to Illinois Statutes and he provided highlights of the incentive agreement which is using a stronger indicator of creditworthiness and financial strength. He noted the business will enhance the tax base and strengthen the business park area. These types of agreements are routinely done in other villages to secure strong retail sales tax generators and are standard operating procedure to attract businesses.

Mr. Bateman reviewed the proposed agreement has a 15 year term and that the 50/50 split of shared revenues is capped at \$80,000 and that anything over \$160,000 in sales tax revenues will go to the Village which is a similar approach as the FMG agreement.

Board Discussion- Items 13 A & B

Upon inquiry, Mr. Martin explained staff procedure for meeting preparation related to the posting of the meeting agenda and board packet. Comments were made regarding car dealerships being the top sales tax generator and that if the Village enters into an economic incentive agreement that money is not being given away, because none is being generated at the location now. Mr. Martin reviewed the Village's sales tax revenues from FMG and the impact of the larger sales tax revenue generators on overall Village revenues. Mr. Bateman confirmed the business receives its annual rebate after the Village receives its local sales tax share and he explained the rebate process.

Comments were made about doing what is necessary to recapture revenues lost from FMG, that Speedway may encourage more people to locate their business in the Village, that it is seeding the Northwest Highway business corridor, the number of signatures on the petition, and that the term seems long but positively benefits the community overall. It was also noted that as an economic development tool an incentive agreement does not have expenses associated with it such as a TIF which was previously reviewed by the Village as an option in the past.

Trustee Raclaw who previously chaired the Economic Development Committee for six years reported that all of the businesses that considered locating in the Village asked for information regarding the Village's economic incentive program, all villages have one and that it sets a business friendly atmosphere to attract companies to the business park. He also expressed that as a representative for the whole Lake Barrington community, he feels it is a fair deal and the incentive is needed.

Mr. Bateman explained the business would likely come back for another agreement if the term was shorter, which is what businesses have come to expect. The agreement would only apply to Speedway and it is contingent on them closing and buying the property.

President Richardson asked Trustee Mitchell to review policies of what is communicated on the website and to put standards in place for the future.

He expressed the economic incentive agreement is consistent with the Village's and other municipalities' practices, to attract high revenue generators into their communities. He would like the Village to develop a set of policies for high sales tax generators.

The Board came to a consensus to vote on both items at this meeting after it was confirmed the new liquor license class would be authorized but not be issued at this time and could be amended. President Richardson asked Trustee Mitchell for his suggestions related to the liquor license after he raised a desire for more standards for the new liquor license class.

Board Action

A motion was made by Trustee Raclaw and seconded by Trustee Mitchell to adopt in block:

- 1) Ordinance 2014-O-18, An Ordinance Approving And Authorizing The Execution Of A Certain "Economic Incentive Agreement" by and between the Village Of Lake

Barrington and Speedway LLC; and

- 2) Ordinance 2014-O-19, an Ordinance Amending the Lake Barrington Village Code (Title 1, Chapter 10, "Fees and Deposits", Title 3, Chapter 3, "Liquor Control", New Paragraph M, "Class N License")

Upon roll call the vote was:

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

President Richardson declared the motion carried.

14. NEW BUSINESS

A. CONSIDERATION OF AN INTERGOVERNMENTAL AGREEMENT WITH BARRINGTON TOWNSHIP AND CUBA TOWNSHIP RE: PACE "DIAL A RIDE" BUS SERVICE

Refer to Item 5A for discussion and Board Action.

B. CONSIDERATION OF RENEWAL FOR RAPID NOTIFICATION SYSTEM - BLACKBOARD CONNECT

Mr. Martin reported the Village contract with Blackboard Connect for the CTY-Connect rapid calling system service expires December 31, 2014. The per-household charge is \$2 for a total of \$4,340. There was no increase requested. He indicated there is a policy for its use, that the contract does not limit its use and that use is at the Village's discretion.

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Mitchell to Authorize the Village Administrator to Enter into a Services Agreement with Blackboard Connect, Inc. for the CTY-Connect Rapid Notification System.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

C. CONSIDERATION OF A RESOLUTION TO EXTEND CONTRACT FOR LOBBYING SERVICES - FIDELITY CONSULTING GROUP

Mr. Martin reported the Village's contract with Fidelity Consulting Group for lobbying services is expiring December 31, 2014. The agreement extends the term of the contract to December 31, 2015. The terms are the same as the previous contract at \$36,000 per year. President Richardson mentioned Fidelity Consulting has been doing a great job for the Village and that they assist the Village with transportation, and water and environmental quality issues. Discussion was held on reporting to the Village by Fidelity. Fidelity's assistance with obtaining grants and funding for the Village has far exceeded the Village's expense for their contract.

Board Action

A motion was made by Trustee Mitchell and seconded by Trustee Schofield to pass Resolution No. 2014-R-20, 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, 2015.

Upon roll call the vote was:

Yeas: Trustees Burke, Daulton Lange, Mitchell, Raclaw, Schaller, Schofield, 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

16. CLOSED SESSION

The Board did not enter Closed Session.

17. ACTION TO BE TAKEN FROM CLOSED SESSION-None

18. OTHER

None

19. ADJOURNMENT: President Richardson called for the motion for adjournment. A motion was made by Trustee Schofield and seconded by Trustee Mitchell to adjourn the meeting. President Richardson declared the motion carried, whereupon the meeting was adjourned at 9:03 p.m.

Respectfully submitted,

Loretta Peterson
Village Clerk
Recording Secretary