

**VILLAGE OF BANNOCKBURN
MEETING MINUTES
DECEMBER 19, 2012**

1. 01-12/19: **Call to Order.** President Barkemeyer called the meeting to order at 7:35 a.m.

President: James Barkemeyer

Trustees Present: Debbie Alch, James Boyle (arrived 7:52 a.m.), David Korner, Daniel Orth, Frank Rothing

Trustees Absent: Timothy Fisher

Also Present: Village Clerk David Ansani (arrived at 7:46 a.m.), Village Counsel Victor Filippini, Village Manager Maria Lasday, Village Finance Director Linda McCulloch

Visitors: Michael Henschel (Unison)

2. 02-12/19: **Pledge of Allegiance.** President Barkemeyer requested that Trustee Korner lead everyone in reciting the Pledge of Allegiance.

3. 03-12/19: **Consideration of Resolution Approving and Authorizing Execution of Unison Communication Easement Documents.** Village Counsel Filippini presented a draft resolution approving and authorizing the execution of Unison Communication easement documents. He identified a change to the resolution that clarifies what happens after the Cricket's lease expires. He stated that the document refers to a replacement agreement but the details had not been established. He stated that Unison offered language this morning that is consistent with what the Village Board of Trustees previously discussed. He stated that the resolution also provides authority to close the documents prior to the end of 2012. Mr. Henschel clarified that payment to the Village will be received after the title company receives the signed documents.

Trustee Korner expressed concern that Unison could institute a finder's fee to potential carrier's to lessen the lease fee. He stated that he would like an agreement with Unison that any fees they receive with potential carriers be split in accordance to the Contract Agreement with Unison. Village Counsel Filippini stated that the Village gets to approve each and every lease agreement and can ensure that no side agreements can be made. Village Finance Director McCulloch inquired whether there is a provision that would allow the Village to bill Unison for Village Counsel's time to review future leases. Village Manager Lasday stated that the letter-of-intent did add a provision that would provide up to \$1,000 for counsel review.

President Barkemeyer inquired whether the monies received for this deal can go toward an additional payment to IMRF. Village Manager Lasday stated that the Board would need to

approve this. Village Finance Director McCulloch stated that she is not sure if the payment would be received by the Village in time to make a payment this year.

Village Counsel Filippini identified the changes to the resolution which include 1) that payment will be received along with any reimbursement as set for in Unison's letter-of-intent; 2) substituting exhibit A, and 3) substituting exhibit B. Trustee Orth moved, seconded by Trustee Alch, to approve a resolution authorizing the execution of of Unison Communication easement documents, as amended. On a roll call vote, Resolution 2012-R-46 was unanimously approved. Ayes: Five (Alch, Boyle, Korner, Orth, Rothing), Nays: None, Absent: None (Fisher).

After a brief discussion, the Board agreed to have the documents signed the week of the 24th of December, preferably on December 26th. Upon inquiry from Trustee Korner regarding receipt of payment from Unison and the Village's payment to IMRF, Village Finance Director McCulloch stated that the Board can authorize her, with ratification of the approval at the next Board of Trustees meeting, to make an electronic payment to IMRF which will be reimbursed upon payment from Unison. Trustee Korner expressed concern that payment could be delayed.

The Board discussed how the closing documents will be forwarded. Village Counsel Filippini stated that the Village will send the documents to the title company.

4. 4-12/19: Adjournment. There being no further business of the Board of Trustees, Trustee Korner moved, seconded by Trustee Rothing, to adjourn the Board of Trustees Meeting. On a roll call vote, the motion was unanimously approved. Ayes: Five (Alch, Boyle, Korner, Orth, Rothing), Nays: None, Absent: One (Fisher). The meeting was adjourned at 8:05 a.m.