

**VILLAGE OF BANNOCKBURN
BOARD OF TRUSTEES
JULY 13, 2015
MEETING MINUTES**

1. **Call to Order:** President Rothing called the meeting to order at 7:02pm.

President: Frank Rothing

Trustees Present: David Ansani, Jim Boyle, Mary Herrmann, David Korner, Kerry Martin.

Trustees Absent: Diana Lackner

Also Present: Village Manager Maria Lasday, Finance Director Linda McCulloch, Village Counsel Betsy Gates, Village Engineer David Gewalt, Village Forester Todd Sinn, Assistant to Village Manager Ryan Mentkowski and Administrative Assistant Joan Koriath.

Visitors: Paul Jensen (Taft Attorneys at Law), Ron Bolger (Gold Rush Gaming), John Ryan (1150 North Avenue), Walter Bushala (2000 Half Day Road), Steve Brennan (CBRE), Bruce Nelson (1665 Meadow Lane), Roger Winstead (Rocco, Fiore & Sons), Libby Ansani (1375 Valley Road).

2. 01-07/13: **Pledge of Allegiance.** President Rothing led everyone in reciting the Pledge of Allegiance.
3. 02-07/03: **Visitors Business:** None
4. 03-07/13: **Public Hearing Regarding Amendments to the Fiscal Year 2014 2015 Annual Budget and Appropriation Ordinance.**
President Rothing opened the public hearing on the proposed amendments to the Budget and Appropriations Ordinance. He noted a copy of the Ordinance has been made available for inspection and that a notice of the public hearing appeared in the Deerfield Review on Thursday, July 2, 2015. Having received no comments from the Board or the public, President Rothing closed the public hearing.
5. 04-07/13: **Consider Approval of an Ordinance, Amending the Annual Appropriation Ordinance of the Village of Bannockburn, Lake County, Illinois for the Fiscal Year Beginning May 1, 2014 and Ending April 30, 2015.**
Trustee Boyle moved, seconded by Trustee Martin, to approve Ordinance 2015-10, an Ordinance Amending the Annual Appropriation Ordinance of the Village of Bannockburn, Lake County, Illinois for the Fiscal Year Beginning May 1, 2014 and Ending April 30, 2015. On a roll call vote, the motion was approved. Ayes: Five (Ansani, Boyle, Herrmann, Korner, Martin); Nays: None; Absent: One (Lackner).
6. 05-07/13: **Public Hearing Regarding the Fiscal Year 2015-16 Appropriation Ordinances.**

President Rothing opened the Public Hearing on the Budget and Appropriations Ordinance. He noted a copy of the draft Ordinance has been made available for inspection for 30-days and that a notice of the public hearing appeared in the Deerfield Review on July 2, 2015. Village Manager Lasday noted that there are no modifications from the original draft distributed in June.

Having received no comments from the Board or the public, President Rothing closed the public hearing.

7. **06-07/13: Consider Approval of an Annual Appropriation Ordinance of the Village of Bannockburn, Lake County, Illinois for the Fiscal Year Beginning May 1, 2015 and Ending April 30, 2016.**

Trustee Ansani moved, seconded by Trustee Boyle, to approve Ordinance 2015-11, an Ordinance for the Annual Appropriation for the Village of Bannockburn, Lake County, Illinois for the Fiscal Year Beginning May 1, 2015 and Ending April 30, 2016. On a roll call vote, the motion was approved. Ayes: Five (Ansani, Boyle, Herrmann, Korner, Martin); Nays: None; Absent: One (Lackner).

8. **07-07/13: Consider Approval of an Annual Appropriation Ordinance of the Village of Bannockburn Special Service Area Number One, Lake County, Illinois for the Fiscal Year Beginning May 1, 2015 and Ending April 30, 2016.**

Trustee Boyle moved, seconded by Trustee Herrmann, to approve Ordinance 2015-12, an Ordinance for the Annual Appropriation for the Village of Bannockburn Special Service Area Number One, Lake County, Illinois for the Fiscal Year Beginning May 1, 2015 and Ending April 30, 2016. On a roll call vote, the motion was approved. Ayes: Five (Ansani, Boyle, Herrmann, Korner, Martin); Nays: None; Absent: One (Lackner).

9. **08-07/13: Consider Approval of an Annual Appropriation Ordinance of the Village of Bannockburn Special Service Area Number Two, Lake County, Illinois for the Fiscal Year Beginning May 1, 2015 and Ending April 30, 2016.**

Trustee Herrmann moved, seconded by Trustee Boyle, to approve Ordinance 2015-13, an Ordinance for the Annual Appropriation for the Village of Bannockburn Special Service Area Number Two, Lake County, Illinois for the Fiscal Year Beginning May 1, 2015 and Ending April 30, 2016. On a roll call vote, the motion was approved. Ayes: Five (Ansani, Boyle, Herrmann, Korner, Martin); Nays: None; Absent: One (Lackner).

10. **09-07/13: Consider Approval of an Annual Appropriation Ordinance of the Village of Bannockburn Special Service Area Number Seventeen, Lake County, Illinois for the Fiscal Year Beginning May 1, 2015 and Ending April 30, 2016.**

Trustee Boyle moved, seconded by Trustee Martin, to approve Ordinance 2015-14, an Ordinance for the Annual Appropriation for the Village of Bannockburn Special Service Area Number Seventeen, Lake County, Illinois for the Fiscal Year Beginning May 1, 2015 and Ending April 30, 2016. On a roll call vote, the motion was approved. Ayes: Five (Ansani, Boyle, Herrmann, Korner, Martin); Nays: None; Absent: One (Lackner).

11. **10-07/13: Consider Approval of a Resolution, Authorizing the Statement and Sources of Estimated Revenues for Fiscal Year May 1, 2015 and Ending April 30, 2016.**

Trustee Ansani moved, seconded by Trustee Boyle, to approve Resolution 2015-R-30, a Resolution Authorizing the Statement and Sources of Estimated Revenues for Fiscal Year

May 1, 2015 and Ending April 30, 2016. On a roll call vote, the motion was approved. Ayes: Five (Ansani, Boyle, Hermann, Korner, Martin); Nays: None; Absent: One (Lackner).

12. **11-07/13: Discussion of Possible Video Gaming Regulations.**

Attorney Paul Jensen, noted that he is the co-chair of the National Gaming Practice and specialized in the Video Gaming Act. He noted that this legislation was passed in 2009 and became operational in October of 2012. He noted that this is a highly regulated industry. Trustee Korner asked how the money is collected and distributed. Mr. Jensen noted that patrons put cash in and a ticket comes out to redeem from a redemption terminal. Trustee Korner asked if there will be an ATM on site. Mr. Jensen noted that this is low stakes gaming, which is a \$2 bet and up to a \$500 payout. He also noted that Rosati's holds the liquor license but the video gaming terminals are owned by Gold Rush Gaming. Village Manager Lasday asked if there will be a Bassett trained attendant by the terminals.

Village Counsel Gates noted that the options for the Village include creating a liquor license class for this situation, with conditions or zoning regulations and a special use and variance. Trustee Ansani remarked that we need to consider the character of the Village and how we are perceived. Mr. Jensen noted that the game area must be segregated and fall into the same requirements as liquor. He noted that Rosati's risks losing their liquor license by not having policies in place. Trustee Martin noted that he doesn't think the video gaming is needed as it won't better the life of resident of Bannockburn. Village Clerk Sigal asked if allowing this will open the door to others who would request a liquor license with video gaming. Mr. Jensen noted that the Village still has control over who receives a liquor license. Trustee Ansani asked about the physical location of the video gaming terminals. Mr. Jensen noted that there must be a physical separation in the bar area, often done by a half wall. President Rothing noted that the Village may want to try a trial period and test this concept.

Village Counsel Gates noted that Long Grove (not a home rule community) created a special class of liquor license to address the video gaming terminals. She noted that it took one year to get the liquor license with video gaming and then they had a 6 months trial period. She noted they have recently extended the trial period for another 6 months.

Trustee Boyle did comment that he would support this on a trial basis as another avenue for revenue. Trustee Ansani asked Chief Price about video gaming from a police perspective. Chief Price did not note any specific positives about video gaming. Trustee Ansani noted that we need more public opinion on this subject. Trustee Martin asked where we draw the line for allowing video gaming terminals. President Rothing asked Chief Price to do some further research on surrounding community's experiences. President Rothing noted that this item will be added to the next meeting agenda for further discussion.

13. **12-07/13: Discuss Possible Revisions to the Village of Bannockburn's Tree Ordinance and to the Village of Bannockburn Zoning Code Pertaining to Bufferyard Regulations.**

Mr. Walter Bushala spoke to the Village Board regarding his property at 2000 Half Day Road. He noted that they would like to tear down the house as it has become a safety hazard. He noted that the zoning currently requires a berm along Route 22 as part of the

bufferyard requirements. He noted that this isn't possible because of the wetlands that are present on the property. He also noted that tearing down the house would currently require a reforestation plan on all 4 sides of the property. Village Manager Lasday noted to the Board that this is the type of opacity situation to keep in mind while discussing changes to the tree ordinance requirements. She noted that Mr. Bushala can't tear down the house without having opacity, but he can't meet the opacity requirement because of the wetlands. She noted that considering the timeline perhaps Mr. Bushala should consider going through the variation approval process. Village Counsel Gates noted that there could be administrative relief with the amendment of the tree ordinance.

Mr. John Ryan (1150 North Avenue) spoke to the Board regarding his property. He noted that he has submitted two landscaping plans that meet opacity requirements for a scenario where revisions are adopted and for a scenario where no change has occurred. He noted that he will be planting in stages from the plan. Village Manager Lasday noted that Mr. Ryan has submitted two plans for consideration. She noted that she wants the Village Board to consider that if there are revisions to the tree ordinances that Mr. Ryan be allowed to follow the new guidelines. President Rothing thanked Mr. Ryan for his patience in this process.

Village Forester Sinn noted that to the best of his knowledge, the Village of Bannockburn has the most restrictive opacity regulations in the State of Illinois. He noted that he reviewed surrounding communities and most only require opacity in screening commercial properties.

The Board discussed events that trigger opacity, such as setback requirements and screening issues, the amount of plantings required, what the goal of the project is, grandfathering of homes that are not up to code, smaller lot opacity versus larger lot opacity and the review process.

Mr. Bruce Nelson (1665 Meadow Lane) discussed the City of Lake Forest regulations and the fact they do not require residential opacity in their tree ordinance. President Rothing noted that we have to redefine triggering events and differentiate an older home vs. new construction. Trustee Martin noted that the short term work should be done by a taskforce or committee and we should issue a "stay" for common sense projects. Village Counsel Gates noted that the Village has the choice to forgo enforcement or adopt a resolution should they desire.

President Rothing noted that the Board should turn this proposal over to the Architectural Review Commission (ARC) for further review. Village Manager Lasday noted that she suggests bringing the tree ordinance to the August ARC meeting because they are also the tree commission and can provide their input on the issue.

The general consensus by the Board was that this item should be taken to the ARC for review and recommendations, followed by the Plan Commission/Zoning Board of Appeals for review and recommendations.

14. 13-07/13: **Village Engineer Report.**

Village Engineer Gewalt noted that Lakewood & Bridle project is complete except for 1-2 items. He noted that Pay Request #1 from Peter Baker & Son Company in the amount of \$191,646.63 was submitted.

Village Engineer Gewalt noted that an Illinois Environmental Protection Agency (IEPA) inspection was completed on April 9, 2015. He noted that the IEPA recommendations include installing hydroneumatic storage which is a third level of protection to our water supply but at the same time does not guarantee protection from boil orders. He noted that the IEPA concern is the lag time between losing electricity and the time it takes the generator to kick in. He suggested keeping what we have in place and writing a letter to the IEPA to explain our water system and the redundancies the Village already has in place. The Board consensus was to have Mr. Gewalt send a letter to the IEPA regarding our current water system.

Village Engineer Gewalt noted that the Village fire hydrant painting project is complete. He noted that Finance Director McCulloch sent out invoices to private property owners for their hydrant painting. He noted that he submitted an invoice and pay request invoice #15 from Go Painters, Inc. in the amount of \$13,556.75.

15. 14-07/13: **Village Police Chief.**

Police Chief Price noted that Officer Lemmer and K9 Odin aided in locating a lost child in Northbrook. He noted that June had a high rate of poor driving and DUI incidents. He noted that Community Safety Day was a success with child ID kits provided to 30 children. He noted that the attendance was light due to competing events in the area. He noted that he will be working on improvements for next year's event, including changing the date and working with Kids Are 1st for ideas. Chief Price thanked Maria and Alan Lasday for donating exercise equipment to the department. He also noted that new resident Julie Plyer donated a fire proof safe that was left in the house by the previous owner. He noted that the cost to move the safe will be \$1,750 but it will be a useful addition for the department.

16. 15-07/13: **Village Counsel.** None

17. 16-07/13: **Village Clerk.**

Village Clerk Sigal noted that she has heard from a credible source in Lake Forest that they spotted a wolf. She noted that she was also contacted by an Illinois Department of Natural Resources (IDNR) employee, following his discussion with Assistant to Village Manager Mentkowski, to discuss the wolf information and discuss whether the animal that had been seen was a wolf or possibly a similar looking animal. Assistant to Village Manager Mentkowski noted that he too spoke to the same IDNR employee who said there have been no other confirmed sightings with his office in the area at the time. Village Clerk Sigal also asked what emergency plan is in place for the horse population in Bannockburn.

18. 17-07/13: **Village Commissioners.**

- *Finance.*

Trustee Ansani provided a summary of the financial report. He noted early property tax

receipts have been posted to respective accounts, IRS recovery bond interest rebate has been posted to the Road Fund and sales tax fiscal to date exceeds last year due to the opening of Heinen's. He noted that IRMA liability insurance reserve was returned for 2014 and has been allocated.

Trustee Ansani moved, seconded by Trustee Boyle, to approve the June Monthly Financial Budget report. On a roll call vote, the motion was approved. Ayes: Five (Ansani, Boyle, Herrmann, Korner, Martin); Nays: None; Absent: One (Lackner).

Trustee Ansani moved, seconded by Trustee Boyle, to approve the July Bill Submit list. On a roll call vote, the motion was approved. Ayes: Five (Ansani, Boyle, Herrmann, Korner, Martin); Nays: None; Absent: One (Lackner).

- *Building*: None
- *Roads & ROW*: Trustee Martin provided a summary of his attendance at the 4th of July parade, including that it was a very good time, as well as his difficulties with the Village's golf cart (dead battery).
- *Water & Sewers*: None
- *Police*: None

19. 18-07/13: **Village Manager.**

Village Manager Lasday noted that she encouraged the Board to read the weekly Managers Report because important information is often presented. She noted that the Cosette Winter plaque unveiling was this coming Wednesday. She noted that 3000 Lakeside may be approaching the Village seeking zoning relief as part of a new business seeking to come into Bannockburn. She noted that the Village will not be receiving the Motor Fuel Tax (MFT) from the State of Illinois in the near future. She noted that she will be working on the Village's Emergency Operation Plan in August/September because it will need to be approved by the Village.

20. 19-07/13: **Village President.**

President Rothing noted that he attended the BMW sneak preview event held at a local residence and it was a nice event with a good crowd. He noted a special thanks to Trustee Martin for participating in the 4th of July parade. He noted that the tennis outing at the Burgess residence and the concert in the park went well and were well attended. He noted that funding for e-recycling through SWALCO (Solid Waste Agency of Lake County) is at risk of losing funding at the end of August, which would end the electronics recycling program. He noted even though Lake County has collected 4 million pounds of e-recycling, it is not a profitable business with the current funding. He was concerned that electronics would be thrown in landfills illegally because there would be no place for residents or businesses to throw out the electronics. He noted that the Bannockburn BBQ is coming up in August and the village is going to start advertising the event through google ads at the end of July. He lastly discussed the September Bannockburn Day event specifically that he and staff were working to find a restaurant in the area that would provide the food for the event at an affordable price. He noted that the Dog Out (Bannockburn Green) did not submit a proposal but Italian Kitchen in Deerfield did submit a proposal.

21. 20-07/13: **Consider Approval of the June 22, 2015 Board Meeting Minutes (Subject to Minor Corrections).**

Trustee Boyle moved, seconded by Trustee Korner, to approve the June 22, 2015 Board Meeting Minutes. On a roll call vote, the motion was approved. Ayes: Five (Ansani, Boyle, Hermann, Korner, Martin); Nays: None; Absent: One (Lackner).

22. 21-07/13: **Consider Approval of the June 22, 2015 Executive Session Meeting Minutes (Subject to Minor Corrections).**

Trustee Ansani moved, seconded by Trustee Martin to approve the June 22, 2015 Executive Session Meeting Minutes. On a roll call vote, the motion was approved. Ayes: Five (Ansani, Boyle, Hermann, Korner, Martin); Nays: None; Absent: One (Lackner).

ADJOURNMENT.

Trustee Ansani moved, seconded by Trustee Boyle, to adjourn the meeting. On a voice vote, the motion was approved. Ayes: Five (Ansani, Boyle, Herrmann, Korner, Martin); Nays: None; Absent: One (Lackner). The meeting was adjourned at 9:15pm.