



One Olde Half Day Road  
Lincolnshire, IL 60069  
[www.lincolnshireil.gov](http://www.lincolnshireil.gov)



The minutes of the January 25, 2016 Regular Village Board Meeting were approved with the following changes: Item 8.21, paragraph five, should be changed from “Village Attorney Simon stated a clause can be added to the agreement indicating the Village...” to **“Village Attorney Simon stated a clause can be added to the agreement indicating the Liberty Justice Center....”**

2.1

**MINUTES  
REGULAR VILLAGE BOARD MEETING  
Monday, January 25, 2016**

Present:

Mayor Brandt	<del>Trustee Feldman</del>
Trustee Grujanac	Trustee Hancock
Trustee McDonough	Trustee Servi
Trustee Leider	Village Clerk Mastandrea
Village Attorney Simon	Village Manager Burke
Chief of Police Kinsey	Public Works Director Woodbury
<del>Village Treasurer/Finance Director Peterson</del>	Community & Economic Development Director McNellis

**ROLL CALL**

Mayor Brandt called the meeting to order at 7:01 p.m., and Village Clerk Mastandrea called the Roll.

**2.1 Approval of the January 11, 2016 Regular Village Board Meeting Minutes**

Trustee McDonough moved and Trustee Leider seconded the motion to approve the minutes of the Regular Village Board Meeting of January 11, 2016 as presented. The roll call vote was as follows: AYES: Trustees McDonough, Grujanac, Hancock, Leider and Servi. NAYS: None. ABSENT: Trustee Feldman. ABSTAIN: None. Mayor Brandt declared the motion carried.

**3.0 REPORTS OF OFFICERS**

**3.1 Mayor's Report**

Mayor Brandt noted Skate Night, put on by Lincolnshire Sports Association (LSA), took place on Saturday, January 23, 2016 at North Park. Mayor Brandt thanked Public Works staff for their role in readying the site for Skate Night and noted Public Works personnel on site Roland Bibat and Brad Taylor did an excellent job providing support for the event. Mayor Brandt provided specifics related to the event and noted it was a huge success. Mayor Brandt noted feedback from the event including the Village considering adding a second rink in the 2017 Village Budget. Mayor Brandt thanked staff and Lee Fell from LSA.

Mayor Brandt noted her son planned to have a drive to collect shoes this year and would include skates in the drive which could be made available at future Skate Nights. Mr. Lee Fell will be providing the Board with a recap of the event at a future meeting.

Village Manager Burke noted Skate Night scheduled for Saturday, January 30, 2016 would be cancelled and re-scheduled for February 6, 2016 due to warmer weather predicted for the coming week.

3.2 Village Clerk's Report - None

3.3 Village Treasurer's Report

**3.31 Revenues and Expenditures for the Month of December, 2015**

Village Manger Burke noted the Revenues and Expenditures for the month of December have been reviewed and funds appear to be in order. Village Manager Burke noted the month end revenues and expenditures are not the final audited statements and explained funds are still being received which will be allocated to 2015 and the final statements are forthcoming.

3.4 Village Manager's Report - None

**4.0 PAYMENT OF BILLS**

**4.1 Bills Presented for Payment on January 25, 2016 in the amount of \$459,896.40.**

Village Manager Burke provided a summary of the January 25, 2016 bills prelist presented for payment with the total being \$459,896.40. The total amount is based on \$217,881.82 for the General Fund, \$220,449.70 for Water & Sewer Fund, \$375 for Water & Sewer Improvement Fund, \$7,516.70 for Vehicle Maintenance, \$39.76 for E911, \$67.50 for Sedgebrook SSA, and \$13,565.92 for the General Capital Fund.

Trustee McDonough moved and Trustee Grujanac seconded the motion to approve the bills prelist as presented. The roll call vote was as follows: AYES: Trustees Grujanac, McDonough, Hancock, Leider, and Servi. NAYS: None. ABSENT: Trustee Feldman. ABSTAIN: None. Mayor Brandt declared the motion carried.

**5.0 CITIZENS WISHING TO ADDRESS THE BOARD (on agenda items only)**

**6.0 PETITIONS AND COMMUNICATIONS**

**7.0 CONSENT AGENDA**

~~7.1 Approval of Final Development Plan and Final Plat of Subdivision for the 86-unit Camberley Club attached single-family residential townhouse PUD, preliminarily approved by Ordinance No. 15-3378-105 (Pulte Homes)~~

Trustee McDonough pulled item 7.1 from the Consent Agenda to be considered and discussed under Unfinished Business.

- 7.2 Approval of Consideration of the Annual Update to the 2013 Economic Development Strategic Plan: Building Economic Success (Village of Lincolnshire)**
- 7.3 Approval of a Resolution Approving Certain Closed Session Minutes and Authorizing the Village Clerk to Make Certain Meeting Minutes Available for Public Inspection Second Review 2015 and Authorizing the Destruction of Certain Audio Recordings of Closed Session Minutes (Village of Lincolnshire)**
- 7.4 Approval of the Village of Lincolnshire Emergency Operations Plan (Village of Lincolnshire)**

Trustee Grujanac moved and Trustee Hancock seconded the motion to approve the Consent Agenda with Item 7.1 removed. The roll call vote was as follows: AYES: Trustees McDonough, Grujanac, Hancock, Servi, and Leider. NAYS: None. ABSENT: Trustee Feldman. ABSTAIN: None. The Mayor declared the motion carried.

## **8.0 ITEMS OF GENERAL BUSINESS**

### **8.1 Planning, Zoning & Land Use**

### **8.2 Finance and Administration**

#### **8.21 Approval of Engagement Letter with Liberty Justice Center for Legal Representation Related to the Worker Empowerment Ordinance (Village of Lincolnshire)**

Village Manager Burke provided a summary of the engagement letter which is a result of the December 14, 2015 Village Board Action to approve the Worker Empowerment Ordinance with the direction to engage Liberty Justice Center for legal representation.

Trustee McDonough asked if there was reason to approve such a letter at this time. Village Manager Burke stated the only reason from staffs' standpoint, would be to have the Village Board formally appoint legal counsel specifically mentioned in the approved Ordinance in the event any claim is filed. Approving the engagement letter would provide formal direction per the Village Code to assign the case to Liberty Justice Center. Village Manager Burke noted there are some instances where there are two to three weeks between Village Board meetings and staff would not want to delay response to any claim or suit that may be filed. Trustee McDonough recommended waiting until there was a need for legal counsel noting there would be approximately 30 days given to respond to any claims. Village Attorney Simon noted normally there would be an allowance of 30 days to answer a claim or a motion to dismiss but reiterated what Village Manager Burke stated that there are times when there is approximately 21 days between Village Board Meetings. Village Attorney Simon informed the Board the proposed engagement letter has no expiration date and does not compel Liberty Justice Center to start prematurely. Trustee McDonough noted his concern would be to incur an expense for no reason.

Trustee Grujanac asked if there was any way to obtain a tally of staff time and expenses incurred as it relates to the Empowerment Ordinance outside of what Liberty Justice proposes to cover on a pro bono basis. Mayor Brandt asked how staff time would be separated out since there were other items on the agenda in December. Trustee Grujanac stated Village staff attended the meeting to provide support where their attendance normally would not have been needed. Mayor Brandt asked if there were extra Police Officers on duty at the December meeting. Chief of Police Kinsey stated extra Police were on staff due to the nature of the meeting. Trustee Hancock stated Trustee Grujanac makes a good point but noted extra staff time goes into many other events and meetings such as Skate Night and questioned how this would be different. A brief conversation regarding fees, staff time and how it relates to the ordinance followed. It was the consensus of the Village Board not to request staff prepare a full accounting of staff time related to the ordinance. However, the expectation was made that Village Manager Burke would alert the Village Board to any activities having an extraordinary impact on staff time/resources.

Village Attorney Simon stated Liberty Justice Center has agreed to represent the Village pro bono with all the terms and conditions of their engagement defined in the letter. Without the proposed engagement letter, in the event Liberty Justice Center's financial situation changes and they are no longer able to represent the Village free of charge, they would have no obligation to inform the Village. Once an engagement letter is signed, a fiduciary duty arises towards the Village and they would have to give adequate notice that they are terminating the engagement.

Trustee Leider suggested putting an extra clause in the letter stating if any additional expense is incurred, there needs to be a notification process. Village Attorney Simon stated a clause can be added to the agreement indicating the Village **Liberty Justice Center** should not incur attorney's fees or begin work until Liberty Justice Center receives formal direction from the Village. The way that Liberty Justice Center receives any payment is if the Village was to be awarded fees in litigation; those fees would be assigned to Liberty Justice Center as reimbursement for their representation. Village Attorney Simon noted Liberty Justice Center should not start incurring fees though until the Village Board provides formal direction.

Village Manager Burke noted he has already engaged Liberty Justice Center in questions related to the Ordinance that have arisen from the Lincolnshire business community but do not directly pertain to litigation. Village Manager Burke noted Liberty Justice Center has not yet responded to the questions but noted his opinion is the engagement letter would help solidify the relationship as a client. Trustee Leider stated it appears there are two different levels of engagement; one level of engagement is educating staff regarding broader issues and the second level is if the Village was thrown into litigation. Trustee Leider asked if these types of levels of engagement needed to be defined. Trustee McDonough stated he did not think an engagement letter was appropriate at this time since nothing has been filed.

Mayor Brandt asked if the letter was changed to include the suggestion made regarding not incurring time in defense of the ordinances until direction from the Village is received, would there be a motion to approve.

Trustee Servi moved and Trustee Leider seconded the motion to approve an Engagement Letter with Liberty Justice Center for legal representation related to the Worker Empowerment Ordinance with revisions to include a clause stating any work related to any type of litigation would need approval from the Village prior to commencing. The roll call vote was as follows: AYES: Trustees McDonough, Hancock, Servi, and Leider. NAYS: None. ABSENT: Trustee Feldman. ABSTAIN: Trustee Grujanac. The Mayor declared the motion carried.

Trustee Hancock noted Village Manger Burke and staff has done an excellent job of providing information to the Board regarding special projects and requested staff continues this approach with this project.

### 8.3 Public Works

#### **8.31 Approval of Purchase of three Ford F Series 1-Ton Trucks (Vehicle #249, #241 and #243) and Related Equipment Through the Suburban Purchasing Cooperative in Amounts Not to Exceed \$231,885 (Village of Lincolnshire – Waiver of First Reading Requested)**

Public Works Director Woodbury provided a summary of the request for the purchase of three replacement vehicles through the Suburban Purchasing Cooperative.

Trustee Leider asked why the practice of purchasing is in place instead of leasing. Public Works Director Woodbury stated leasing has been researched but staff has not found it to be an advantage due to the maintenance contract renewal times. Trustee Leider suggested putting a business plan together to review the lease option again. Public Works Director Woodbury stated staff would look at leasing but noted when a truck is purchased it is retro-fitted to fill a certain need. Mayor Brandt noted vehicles purchased usually have a long use life in the Village. Public Works Director Woodbury noted all three vehicles had gone past the original replacement schedule. There was a brief discussion regarding miles relative to usage and the conditions for usage.

Trustee McDonough moved and Trustee Grujanac seconded the motion to waive the first reading for the Purchase of three Ford F Series 1-Ton Trucks and related equipment through the Suburban Purchasing Cooperating in amounts not to exceed \$231,885. The roll call vote was as follows: AYES: Trustees McDonough, Grujanac, Hancock, Leider and Servi. NAYS: None. ABSENT: Trustee Feldman. ABSTAIN: None. Mayor Brandt declared the motion carried.

Trustee McDonough moved and Trustee Grujanac seconded the motion to approve the Purchase of three Ford F Series 1-Ton Trucks and related equipment through the Suburban Purchasing Cooperating in amounts not to exceed \$231,885. The roll call vote was as follows: AYES: Trustees

McDonough, Grujanac, Hancock, Leider and Servi. NAYS: None. ABSENT: Trustee Feldman. ABSTAIN: None. Mayor Brandt declared the motion carried.

8.4 Police

8.5 Parks and Recreation

8.6 Judiciary and Personnel

**9.0 REPORTS OF SPECIAL COMMITTEES**

**10.0 UNFINISHED BUSINESS**

**7.1 Approval of Final Development Plan and Final Plat of Subdivision for the 86-unit Camberley Club attached single-family residential townhouse PUD, preliminarily approved by Ordinance No. 15-3378-105 (Pulte Homes)**

Trustee McDonough stated he pulled this item from the Consent Agenda so it could have a separate vote.

Trustee Hancock moved and Trustee Leider seconded the motion to approve final development plan and final plat of subdivision for the 86-unit Camberley Club attached single-family residential townhouse PUD, preliminarily approved by Ordinance No. 15-3378-105. The roll call vote was as follows: AYES: Trustees Grujanac, Hancock, Leider and Mayor Brandt. NAYS: Trustees McDonough and Servi. ABSENT: Trustee Feldman. ABSTAIN: None. Mayor Brandt declared the motion carried.

**11.0 NEW BUSINESS**

**12.0 EXECUTIVE SESSION**

**13.0 ADJOURNMENT**

Trustee McDonough moved and Trustee Hancock seconded the motion to adjourn. The voice vote was unanimous and Mayor Brandt declared the meeting adjourned at 7:29 p.m.

Respectfully submitted,  
**VILLAGE OF LINCOLNSHIRE**

Barbara Mastandrea  
Village Clerk