

VILLAGE OF LAKEWOOD
MINUTES OF THE VILLAGE BOARD MEETING
APRIL 27, 2021

The Zoom Village Board Meeting was called to order at 7:00 p.m. Present via Zoom was Trustees Alexander, Augustine, Barron, Berman, Eddy, and Odom. President Stephan was absent. Trustee Augustine, seconded by Trustee Barron, motioned for Trustee Berman to act as President Pro Tem in President Stephan's absence. Voting Aye: Trustees Berman, Alexander, Augustine, and Barron. Voting Nay: Trustees Eddy and Odom. Motion declared carried. Also present via Zoom was Chief Administrative Officer Jeannine Smith, Village Attorney Michael Smoron, Deputy Clerk Karen Crowe, and many members of the public.

Trustee Berman stated, in light of the current COVID-19, public health emergency, and Governor JB Pritzker, his gubernatorial disaster proclamation in response there to the President, or in this case, me, I have determined that an in person meeting is not practical or prudent because of the disaster. Therefore, this meeting will be conducted remotely via zoom.

Trustee Berman commented about two things the public should be aware that we're having an issue tonight with people being able to unmute themselves. I know that we have new candidates or new officers that are looking to be sworn in later this evening. If we have any issues with public comments during the meeting, it will slow things down, and we will have to get technical support on the line to rectify the situation. So I would appreciate that if you're not asked to unmute yourself, you refrain from talking. Moving on to public comments, as we mentioned last time, if anybody wants to raise their hand, please do it electronically so that we can see you. We can't guarantee that we'll see you if you're just raising your hand to the camera.

At 7:04 p.m., the Public Hearing opened for the Village of Lakewood's Proposed Budget for Fiscal Year 2021/2022. Trustee Berman asked for any questions from the public.

Jason McMahon questioned where the complete budget is conveniently available for public inspection on the Village website, as described in the Public Notice and required by state statute. The simple response would have been appreciated from the CAO. But again, the entire board is hiding from the public, or the public notice and the 2021 2022 budget calendar show the complete proposed budget will be available for public inspection beginning April 16 2021. Nowhere is it convenient for the public it's not on the homepage of our website and other finance section with the previous budgets, not on the agenda package materials for 2021 where there's only one budget workshop and two on the posted calendar. The budget workshop calendar specifically stated budget workshop two would be held on April 28. April 20, 2021, Meeting agenda shows a continuation of Budget Workshop One which would be impossible since the April 13, 2021 Budget Workshop One Meeting was adjourned without a continuation. April 20, 2021 Meeting is in violation because the purported continuation and lack of public comment, and where is the Budget Workshop

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Number Two? Where is the second part of the Budget on April 23, 2021, which was called a redo Meeting but deleted the Budget Workshop entirely without any information and failing to provide the second part of the Budget. Please tell me where the entire Budget is conveniently located on the Village website for the public notice. Workshops are extra and aren't required by statute. But where is the other half of the budget hiding? Please don't tell me it's safe to come into the Village Hall and inspect the Budget when you refuse to hold in person meetings due the COVID. If meetings aren't safe, neither is coming to Village Hall to inspect something that is required to be posted online. And if any Board member voting yes, on this fiscal year 2021/ 2022 budget is in violation of state statute because it requires the public be allowed access to the complete budget in 10 days prior to the Budget Hearing. That wasn't done. While the first part of the budget may have been posted in Budget Workshop Number One, the second part is nowhere to be found. And certainly the entire budget before the board tonight is nowhere to be found. And how about the response to a failed budget amendment?

The Budget Public Hearing closed at 7:09 p.m. and proceeded to the Regular Village Board Meeting.

PUBLIC COMMENTS: None

CONSENT AGENDA: All items were removed from the Consent Agenda to be discussed separately.

ITEMS REMOVED FROM THE CONSENT AGENDA:

Bill Lists: Accounts Debit Card Purchases Dated September, 2020 in the Amount of \$2,728.30
Accounts Debit Card Purchases Dated October, 2020 in the Amount of \$5,671.96
Accounts Debit Card Purchases Dated November, 2020 in the Amount of \$3,596.10
Accounts Debit Card Purchases Dated December, 2020 in the Amount of \$4,190.86
Accounts Debit Card Purchases Dated January, 2021 in the Amount of \$3,783.13
Accounts Payable Invoices Dated April 28, 2021 in the Amount of \$309,349.24

Chief Administrative Officer Jeannine Smith commented that RedTail Golf Club uses a debit card when purchasing certain items instead of being invoiced for the merchandise such as groceries. Sometimes we can get a better pricing from a local vender. There is also a debit card at Village Hall for purchasing supplies from Sams, Ace Hardware, and other local vendors. The debit cards are also used for purchases from Amazon. All purchases made on the debit cards must have a receipt for backup of purchases.

There was a question regarding a recurring change of \$1,040 to Enterprise Rent a Car in January and February 2021. CAO Smith replied that this was for the Interim Chief of Police, which was

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part of his employment agreement. This expense was accidentally posted to the RedTail debit card and needs to be reversed and placed under Police Department expenses.

Trustee Eddy, seconded by Trustee Barron, moved to approve the Bill Lists. Voting Aye: Trustees Alexander, Augustine, Barron, Berman, and Eddy. Voting Nay: Trustee Odom. Motion declared carried.

Financial Statements: Village Financial Statements for January, 2021
Village Financial Statements for February, 2021

CAO Smith remarked that State Statute requires a municipality to bring its warrants before its Board periodically whether it's monthly or bimonthly. So we do that monthly with our revenue and expenditure report. Our monthly revenue and expenditure report is basically the warrant lists that many municipalities would produce. What the Village of Lakewood does is it goes above and beyond and it produces more or less financial analysis of those numbers. So when we talk about the village financials, it takes those revenue and expenditure numbers, and it formats it differently to make it a little more readable for the general audience, and better help to explain how money flows through those funds.

Trustee Augustine, seconded by Trustee Alexander, moved to table the Financial Statements until a third party has time to review them. Voting Aye: Trustees Alexander, Augustine, Barron, Berman, Eddy, and Odom. Voting Nay: None. Motion declared carried.

Trustee Berman asked Attorney Smoron to comment on some very strong convictions shared over the course of the past two days or so as to whether the vote on last Board Meeting's Budget Amendment was legal.

Attorney Smoron stated that he was aware of some correspondence that has criticized the staff in connection with the budget process. And the most recent missive was one in which staff was being criticized for not following State Statute regarding Ordinances, not Budgets We're not an appropriation community. That's a different financial system than the budget. Illinois municipal code has no bearing on the budget, or in a budgetary system. The appropriation system is a different one in which legal feelings are set on spending limits, in usually typically smaller municipalities. The budgetary process is a little bit different. And that's what the Village is under. What it provides is that that's to be passed before the fiscal year, there's a budget officer appointed in the budget system is much more precise. So the criticism of the Village staff of not fulfilling or complying with the appropriation statute is untrue I think there's a misunderstanding about what form and what process the Village applies to how it sets its budget. The second thing was there was also a question about the budget amendment from Tuesday night and whether it was valid. I understand there was some criticism with respect to some of the items in there,

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including the employee performance bonuses that were voted on. I think that notwithstanding the issue with respect to the recording of the meeting, whether such action was valid, I do. There is case law out there. And the precedent is clear that under the circumstances where notices presented where there's a proper agenda, or there's a quorum, and an action is taken, in open session, the case law supports that that budget amendment with a vote that was made on Tuesday night is completely valid. We are under the budgetary system We're not under the appropriation statute. We're under the budgetary one. And that's been the case for 20 to 30 years.

There were a few more questions regarding the placement of the proposed budget on the Village Website. CAO Smith stated it was on the Village Website, and others said they could not find it. It was suggested that they could have come to Village Hall to review the proposed Budget.

APPROVAL OF ORDINANCE NO. 2021-07 - AN ORDINANCE APPROVING THE VILLAGE OF LAKEWOOD ANNUAL BUDGET FOR FISCAL YEAR 2021-2022

Trustee Berman, seconded by Trustee Augustine, moved to approve Ordinance 2021-07. Voting Aye: Trustees Alexander, Augustine, Barron, Berman, and Eddy. Voting Nay: Trustee Odom. Motion declared carried.

ACKNOWLEDGEMENT OF CHILD ADVOCACY CENTERS MEMORANDUM OF UNDERSTANDING AND THE CHILD ADVOCACY BOARD PROTOCOL:

Trustee Augustine, seconded by Trustee Eddy, motioned to acknowledge the Child Advocacy Centers Memorandum of Understanding and the Child Advocacy Board Protocol. Voting Aye: Trustees Alexander, Augustine, Barron, Berman, Eddy, and Odom. Voting Nay: None Motion declared carried.

Trustee Barron thanked President Stephen for appointing her to this position. I appreciate the support that I've received from the community and my fellow Board Members. And as a new Board Member, first part of this job is going to be learning this job and getting all the appropriate training. I met with the incoming President and I called shortly to meet with the new Trustees individually as well. And talk to them about my experience and whatever they'd like to know. I feel very strongly about civic engagement. So I encourage all the residents in Lakewood to attend the meetings and get out there and get involved. Anybody can email me or call me if they have a question about an agenda item. I don't follow the local social media sites and things. So if a resident has a concern out there, I'm not going to see it. But I do encourage everybody to call or email me. I wanted to say that I look forward to serving all the residents of Lakewood, going forward. Thank you.

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Trustee Berman thanked Trustee Barron. I think the residents of Lakewood are lucky to have you as a Trustee. You have more experience than any of us in local government. And I think you're a great addition to the team. Thank you.

Trustee Alexander commented that he has known Trustee Barron for about three and a half years. Her dedication to civic engagement is unparalleled from anyone in our community. So I welcome the additional candidate. I'm looking forward to her tenure of being productive two years with the with the Village of Lakewood. I know that I've relied on her moving forward. I'd also like to like to take a second to watch and to recognize some of the efforts of the previous Administration over the last couple of years. I think Lakewood right now is on a stellar trajectory. Staff has been doing a wonderful job; whether it be the travel center, whether it be the splash pad near Woodland Hills, whether it be some of the financial capabilities to solicit and engage builders to build on some of these stagnate subdivisions within Lakewood. Those are things that are unparalleled, that really haven't been acknowledged in the past and previous Administrations. But certainly, you're going to move the needle in terms of revenue flow to the the Village. Thanks to the previous Administration for those engagements, only those things move forward? Hopefully, there's no change in theory in terms of what the Village should look growing as one that's prospering that's engaging diversity in moving forward. So I'd like to say thanks again to the previous Administration.

Trustee Berman thanked Trustee Alexander for his comments and thanked him for his service know that this wasn't necessarily what you expected when you accepted Phil's appointment. I know that you put up with a juvenile behavior on social media, and they just appreciate everything that you did for the Village. The Village was better having you on the Board. Any other Trustees have comments?

Trustee Berman read a letter he received on behalf of Janet Barron. This meeting is being recorded and I would just like to get this on the record. So Lakewood, Mayor and the Village Board, we're writing regarding the proposed appointment of Janet Barron as a Trustee in the Village of Lakewood. We hold the offices of Mayor and Trustee in Lake Zurich since 2013 and 2017, respectively, and are about to be sworn in for my second term. Therefore, we fully understand the role in obligations and carries with it. We've known Janet Barron through her previous residency here in Lake Zurich. Mary Beth is known her by volunteering with her while our children were of school age and through her continuous volunteering in our Village. Mayor

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Poynton appointed her to the Park Advisory Board here in Lake Zurich, and has worked alongside her as a Village volunteer his wife, Janet, someone who research it researches reads with a critical eye and listens to all sides of an issue. She does not have any hidden agendas. She is fair minded and intelligent. She would be a welcome addition to your Board. She's willing to listen and understand those who might have differing opinions. She's also someone who would serve all residents, not just consider the patch of land, which he owns. We reviewed some troubling, untrue social media remarks all unwarranted about Janet. We've just been through an election where the same type of keyboard warriors were at play. Those who prejudge someone without the requisite facts, or even speaking to a proposed trustee as to her qualifications should be summarily disregarded. We found they usually hold a hidden agenda of their own and are the last in line to volunteer when work is required. It's easy to hit a button to post unkind remarks that have no basis. What's harder is to do the actual work that is required by a trustee. Janet Baron is ready, willing and able to serve as a trustee in your village. She's loyal and fair minded. She thinks outside the box and would be a breath of fresh air with creative ideas for your village. We highly recommend her in the role of Trustee, very truly yours, Marybeth Euchre Trustee Village of Lake Zurich, and Mayor Tom Poynton Village of Lake Zurich.

I wanted to take a moment and congratulate David Stavropoulos, Mike Fisher, April Runge, Tricia Babischkin, on being elected to represent the Village of Lakewood. Later this evening, after this Board meeting concludes, you will each take your oath of office and be sworn in. With this, you will go from simply being a resident with questions and concerns to being part of the government. This is a big deal. And it's not to be taken lightly. Upon assuming office, you will each have a fiduciary duty to protect the interests of this Village in all of its residents. You will find that in some cases, these responsibilities will align with your visions and your campaign promises. But you will also find that in other cases they will not. These are the moments that will define you. Making popular decisions is easy. But making unpopular, difficult decisions takes leadership. I know that I can speak for everyone here when I wish you all the best of luck. And as far as those of us that were not up for reelection, those of us that will carry over to the new Administration. I also believe that I can speak for us when I say that we will stand together with you if you're doing things that will benefit this Village and residents. That said I wanted to take a moment and say some words about a departing President, Phil Stephen. As you can see, Phil's not here tonight. I don't know why he chose to miss this meeting. But if I was to guess it's because he was personally hurt by the results of this election.

He always knew that he could lose, but to lose as dramatically as he did was a real punch to the gut. And if you don't understand this, you don't know Phil. Phil Stephen may not have been the perfect Village President. He could be loud and obnoxious. He had some rough edges. But I

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guarantee you that this Village has never had a President that has worked harder for them. Phil worked tirelessly for all of us. Whenever there was a downpour he'd been in the Gates the next morning surveying the water drainage, talking with residents getting the pulse of the community. In the yards of people he had personally devoted hours of his time to fixing their problems, making sure they were being taken care of. If a resident complained about the condition of the streets in front of their house, Phil hopped in his car and drove out to see for himself. Sometimes he gets into the weeds, explaining the difference between hot patching and cold patching, how it made sense to wait until the end of April in the hot asphalt plant started operating. Imagine how it felt to see his opponent's political signs in the yards of these people. And while I believe Phil should have been here tonight to close out his Administration, the same way he started with zeal for getting things done. I understand why he's not. I'm sure he feels that he let you all down. That if he had done his job, right, you would have all realized how much he cared about fixing your problems, and how much he cared for you personally. The fact is, in the two short years that Phil was in office, he accomplished more than any other administration in recent history. He negotiated and closed the sale of the property at 176 and 47 for the travel Oasis, and he did it with no Village water or sewer services. This travel center will be a boon in tax dollars for our community, and will help drive our property taxes down. It's the largest investment in the Village of Lakewood in a generation. I once again congratulate Phil on this deal, and I don't believe that anybody else could have done this. He brought Electronic Gaming to this Village which again will be a boon in tax dollars for our community. The repaving of Hampshire Lane was a success story that I do not think can be stressed enough. Phil took his know how from his time working for the City of Chicago and came up with a novel approach to stormwater drainage for our Village by inverting the pitch of the roadway between the street and to a giant gutter. And the results have been better than we could have ever hoped for. This should be a model for all future repaving projects in the Gates. We're going to do an intermission here.

After I threatened to end our relationship with a Crystal Lake Park District because I felt we were getting ripped off. We were paying approximately \$800,000 a year and getting no real return on our investment. Phil turned around and negotiated a deal to bring in giant park splashpad to the vacant land. Next to the water reclamation plant wrote a project that's valued at \$2 million will provide the type of amenities that our Village has been missing for so long, it will undoubtedly increase our property values. Phil was a big proponent of bringing the community together. From the RedTail Wine and Cheese event to RedTail Rocks to the haunted hayride. Every one of these events was a success. I hope the new Administration will continue these gatherings. It's events like this that bring us all together. We need more of that. And speaking

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of RedTail, under Kenny and Jim's leadership, things have completely turned around. I've seen a lot of noise about RedTail's history of profits and losses, but nothing can take away from the record profits that were recorded this past year. Regardless of what you think of Phil, politically, he played a big role in this turnaround. And to cap things off, Phil announced at our last meeting that a new development will be underway shortly at Turnberry Trail. Add to this all of the new construction that occurred during his tenure. I hope we can all agree that while Phil was in office, he made Lakewood attractive to both builders and homebuyers. Finally, even though Phil was both honored and excited to be elected President, it never would have occurred to him to take a victory lap at the Raue Center. If my memory serves me correctly, he made a single short statement at that first board meeting, Village President, I can take that off my bucket list, he seemed fulfilled getting elected wasn't the accomplishment and all of the things he did while in office. Those were the accomplishments. He took pride in his work. All Phil ever wanted to do was to build a better Lakewood. His goals were simple, raise property values while driving down taxes. Although he was in office for just two short years, he's left a legacy that will be hard to follow. On behalf of the entire board of Trustees, I want to thank Phil Stephen for his service and wish him the best of luck.

Trustee Augustine, seconded by Trustee Eddy, moved to adjourn the Meeting. Voting Aye: Trustees Alexander, Augustine, Barron, Berman, Eddy and Odom. Voting Nay: None Motion declared carried. The meeting adjourned at 7:46 p.m.

Karen Crowe
Deputy Clerk