

Village of Winthrop Harbor
President and Board of Trustees
Virtual Regular Board Meeting
June 16, 2020 - 7:00 PM

PLEASE NOTE: In order to comply with the requirements of 5 ILCS 120/2.06(9), and the requirements of 65ILCS 5/8-2-9, and in keeping with the Executive Orders issued by Governor Pritzker, including without limitation Orders 2020-07 and 2020-10, and in furtherance of protecting the public health, taking into consideration the available technology, hardware and software, as well as the likely difficulties reasonably anticipated of the public to participate remotely, public comment will be limited to pre-submitted communications filed with the City Clerk.

Any member of the public wishing to make comments or participate in the Village's Regular Board Meeting must submit such comments in writing, or by audio or visual recording, to the Village Clerk not later than 4:00pm on June 16th, 2020. The Clerk, or her designee, shall play or read into the record any and all such comments received. Any comments received that would take an ordinary person more than three minutes to read shall be summarized so as to keep them under three minutes per commenter, and all comments will be posted in their entirety on the Village's website and circulated to the Village Board of Trustees.

OFFICE OF THE VILLAGE CLERK EMAIL: jrittenhouse@winthropharbor.com

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION & PLEDGE OF ALLEGIANCE**
- 4. ABSENT OFFICIALS WISHING TO ATTEND REMOTELY – All Officials Attending Remotely**
- 5. APPROVAL OF MINUTES OF PREVIOUS MEETING OR MEETINGS**
 - i. June 2, 2020 Virtual Regular Board Meeting Minutes
- 6. MAYOR'S REPORT**
 - i. A Resolution Regarding the Release and Non-Release of Certain Minutes of Closed Session
 - ii. A Resolution Authorizing a Referendum on Changing the Clerk's Position to an Appointed Position
- 7. VILLAGE ADMINISTRATOR'S REPORT**
- 8. CLERK'S CORRESPONDENCE**
- 9. OLD BUSINESS**
- 10. NEW BUSINESS – COMMITTEE REPORTS**
 - A. Finance*
 - i. Accounts Payable Warrant 2020-4 in the Amount of \$123,356.23
 - ii. 2019-20 Audit Services – Swartztrauber & Co.
 - iii. Approval of Azavar Settlement Agreement with Comcast
- 11. PUBLIC COMMENT**
- 12. UNFINISHED BUSINESS**
- 13. CLOSED SESSION for any lawful purpose including but not limited to:**
 - i. Appointment, employment, discipline, performance or dismissal of specific employees;

- ii. Collective Bargaining matters or consideration of salary schedules for one or more classes of employees;
- iii. Selection of person to fill a public office or discipline, performance or removal of the occupant of a public office where authorized to appoint or remove the official;
- iv. Purchase or lease of real property or setting of a price for sale or lease of municipal property;
- v. Review of closed session minutes
- vi. Litigation, pending or probable

14. OPEN SESSION

15. ADJOURNMENT

6/12/2020 "No vote may be taken on any item which has not been listed on the Agenda for the meeting. Any matter not specifically listed on this Agenda, or brought up under "Unfinished Business" may be discussed by Board members at this meeting, but a vote on the matter shall be postponed until the next Board Meeting".

Village of Winthrop Harbor
President and Board of Trustees Meeting
June 2, 2020
Village Hall Council Chambers

VIRTUAL BOARD MEETING - MINUTES

The meeting was called to order by Mayor Bruno at 7:00 PM

The following Elected Officials **Attended Remotely**:

Mayor: Dr. Michael Bruno

Trustees: Buddy Hargett, John Levin, Dana McCarthy, Hartmut "Fritz" Weiss, Alanna Whitmore

Also present:

Robert Long, Attorney
Greg Jackson, Village Administrator
Julie Rittenhouse, Village Clerk
Michael Sheedy, IT Director
Joel Brumlik, Police Chief

The Invocation was led by Mayor Bruno

ABSENT OFFICIALS WISHING TO ATTEND REMOTELY

All Officials attending remotely

APPROVAL OF MINUTES

1 - A motion was made by Trustee Levin and seconded by Trustee Weiss to approve the **May 19, 2020 Regular Board Meeting Minutes** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (5) Hargett, Levin, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (1) Marabella
Passed: (0)

MAYOR'S REPORT

Mayor Bruno read a letter that went out to Governor, J.B. Pritzker, State Senator, Melinda Bush, Congressman, Brad Schneider and State Representative, Joyce Mason regarding urgent request for assistance.

ORDINANCE 2020-O-9 An Ordinance Ratifying and Extending Mayoral Declaration of Emergency Relating to Coronavirus

2 - A motion was made by Trustee Weiss and Seconded by Trustee Hargett to Set Aside the Rules of the President and Board of Trustees and Waive the First and Second Reading of **ORDINANCE 2020-O-9** and approve as submitted. Mayor Bruno declared the motion carried on the following roll call vote

Ayes: (5) Hargett, Levin, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (1) Marabella
Passed: (0)

Approval of Contract with Basecamp Web Solutions for the Web-site Development

3 - A motion was made by Trustee Hargett and seconded by Trustee Whitmore to approve **Contract with Basecamp Web Solutions for the Web-site Development** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (5) Hargett, Levin, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (1) Marabella
Passed: (0)

RESOLUTION 2020-R-11 Appointing Administrator, Greg Jackson, as Alternate Director to SWALCO

4 - A motion was made by Trustee McCarthy and seconded by Trustee Whitmore to approve **Resolution 2020-R-11** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (5) Hargett, Levin, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (1) Marabella
Passed: (0)

VILLAGE ADMINISTRATOR'S REPORT

- Activated the reopening of Village Hall to the public on Monday – Monday, Wednesday and Friday 8:00am – 4:30pm. Posted Signs in both English and Spanish. Must wear masks and marked 6 feet with tape. Village Hall is staffed 5 days a week.
- Last Friday's opening of restaurants and bars was a success. Met with every business, reviewed their plans and went out to inspect their spaces to make sure they were meeting the requirements for social distancing. Every location did exceptional with addressing this plan. Accolades to the businesses that did submit plans before opening.

Virtual - Regular Board Meeting Minutes 06/02/20

- Friday evening, the Winthrop Harbor Queens led a parade to recognize the efforts of our Fire and Police Departments. There were 30 – 40 vehicles. Very well done. Hats off to Cindy Graham and Laura Gergly and her husband Bob who put this together.
- Will be reaching out to Trustee Levin to discuss a plan that was developed by Fire Chief Stried in regards to a plan for retention of fire and EMS personnel
- Highest accolades to Chief Brumlik and his crew for the work they've done in response to the threats that have been made, not only to our Village, but to other municipalities further down South of us. The work that Joel, Ed and Mike and the whole group have done has been phenomenal. Even in the face of threats, we were ready and able to deter anything from happening up to this point.
- Deputy Chief Mohn's work with NIPAS, has given us the ability to get NIPAS into our community when we feel there in an impending threat.
- Accolades to Sargent Chris Willets – a senior citizen in our community had been scammed for \$8,500 for repairs on his driveway. Sargent Willets apprehended the individual and recovered the \$8,500. Sargent Willets did an exceptional job and command staff as well. The senior citizen was extremely happy. He never thought he would see that money again.
- Parks and Recreation Department has set up a cooling center at the Schlader Building.
- The Miss Winthrop Harbor Pageant will potentially be holding the Pageant at the Schlader Building in August. We're still working through the logistics.
- Web-site - once the contract is signed, Mike Sheedy and Greg will be meeting with the Web Developer and setting up the time and action plan to begin the development of our new web-site.
- The CARES Act – from the Congressmen's Office, we know we will only receive money through Lake County for reimbursable expenses associated with COVID. The Lake County Board is waiting to determine how the money is to be distributed. They will be meeting with local units of Government to discuss what the needs are.
- The HEROES Act is still with the U.S. Senate. The Act allows money for revenue loss to be distributed to the municipalities. It's not likely to see the light of day as it was presented by the House of Representatives. We will wait and see what happens.

CLERK'S CORRESPONDENCE

None Reported

OLD BUSINESS

None Reported

NEW BUSINESS

1414 Sheridan Road – Request for a Variance to Chicken Coop Concrete Base Requirement

5 - A motion was made by Trustee Hargett and seconded by Trustee Levin to approve **Request for a Variance to Chicken Coop Concrete Base Requirement at 1414 Sheridan Road** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Trustee Hargett suggested we approve this variance and give direction to Greg Jackson to revisit the shed Ordinance, which also drives structures like chicken coops.

Ayes: (5) Hargett, Levin, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (1) Marabella
Passed: (0)

Accounts Payable Warrant

6 - A motion was made by Trustee Weiss and seconded by Trustee Levin to approve **Accounts Payable Warrant W2020-3** in the amount of **\$90,081.75**. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (5) Hargett, Levin, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (1) Marabella
Passed: (0)

April 2020 Treasurer's Report

7 - A motion was made by Trustee Weiss and seconded by Trustee Whitmore to approve **April 2020 Treasurer's Report** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (5) Hargett, Levin, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (1) Marabella
Passed: (0)

Approval of Azavar Settlement Agreement with North Shore Gas

8 - A motion was made by Trustee Weiss and seconded by Trustee McCarthy to approve **Azavar Settlement Agreement with North Shore Gas in the Amount of \$6,368.60** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (5) Hargett, Levin, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (1) Marabella
Passed: (0)

PUBLIC COMMENT

None Reported

UNFINISHED BUSINESS

Trustee Weiss – Finance Department

Virtual - Regular Board Meeting Minutes 06/02/20

- Thank you to the Police, Fire, Public Works and Staff for a job well done with COVID-19 and the threats to Winthrop Harbor. A new resident called and was very anxious. Trustee Weiss told him to calm down because we have one of the best police and fire departments in the county. Thank you to all of our Staff and the First Responders. With their presence I felt safe in this community and the resident felt the same way.

Trustee Hargett – Community Development

- Huge thanks to, especially right now, the Police Department. When these things are mobilized, it involves so many different staff and outside entities. Appreciates Greg and Chief Brumlik for keeping us in the loop as to what's going on. It's unsettling to see some of what's going on, and a weird set of emotions. There are feelings and pent up rage that I won't ever be able to fully relate to as a white person. Seeing some of the things that people are posting, we know that we have a dark history and a reputation that you hope we have moved past as a community. When the census comes back we will see that we are a more diverse community today than we were even 10 years ago. We need to make sure that we continue to be a part of that discussion on how to be part of the solution and how to change the reputation people have of us and continue to be a welcoming community to all.

Trustee Levin – Fire Department

- Same as Trustee Weiss and Trustee Hargett – a huge thank you. After yesterday's threat, amazing job in coming together. Asking that we pray for not only our community, but other communities that have been hit hard.

Trustee McCarthy – Police Department

- Echo everything that's been said already. What we've seen is really a reminder, that even in these tough financial, and budgetary times, we have our Police Force and continue to maintain leadership. The relationships that our leaders in the Police Department have and the care and concern that our officers have for our community and citizens, is huge.

Trustee Whitmore – Recreation Department

- This was a great week to have the "thank you" parade for our first responders. Little did we know this was going to be happening, just days later. Never felt better about being here, about feeling safe here. Thank you to our Police Department and their diligence, just keeping us safe and our community safe.

Mayor Bruno

- I've always felt safe. I hope this starts to wind down soon.
- I pray for the safety of all of our residents.
- Last Saturday the Garden Club was kind enough to volunteer to plant flowers by the Village Sign at the Village Hall and the 2 planters by the entrance.
- Thank you to the Police and Fire Departments for the birthday and anniversary parades. Received E-mails from the residents thanking the Village for allowing them to do this.
- Thanked the Queens for organizing the parade for our First Responders.
- Thanked Chief Brumlik, the entire Police Department, Fire Department and Public Works for the expertise during the protesting situation. These are incredible departments as well as Recreation and Administration. We couldn't be more prepared. Very proud.
- The census reports, the Village of Winthrop Harbor has the highest percent of responses with 78.2%

Chief Brumlik

Virtual - Regular Board Meeting Minutes 06/02/20

- It's not only been the Police Department, but the entire Village, the entire Staff. Every Department in the Village. The people in this town and the Board have been great. I know budgets have been tight, I appreciate that you let me do what I do. Everybody here plays a roll and it's working out great.
- In my entire law enforcement career, there was nothing more satisfying than the gentleman that got his money back.
- Thank you for the support. It's a team effort. Good for the Village.
- It was great to see the Marina come alive on Friday night. It was well done.

ADJOURNMENT

9 - A motion was made by Trustee Weiss and seconded by Trustee Levin to adjourn the meeting. Mayor Bruno declared the meeting adjourned at 7:52p.m. on the following roll call vote:

Ayes: (5) Hargett, Levin, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (1) Marabella
Passed: (0)

APPROVED:

DR. MICHAEL BRUNO, MAYOR

ATTEST:

JULIE RITTENHOUSE, VILLAGE CLERK

Note: This is not a verbatim record.

RESOLUTION 2020-R-

**A RESOLUTION REGARDING THE RELEASE
AND NON-RELEASE OF CERTAIN MINUTES
OF CLOSED SESSION**

WHEREAS, the State of Illinois Open Meetings Act requires the Corporate Authorities of this Village to conduct a semi-annual review of all minutes of closed sessions which have previously not been released to the public to determine which minutes should be released and which should still be held as confidential, and

WHEREAS, the Village Clerk has assembled all such minutes of closed sessions that currently exist, and

WHEREAS, the Village Attorney has determined that the Open Meetings Act should be construed broadly in favor of the release of any minutes that are not determined by this Board to be subject to the confidentiality provisions of that Act or which involve issues which have been fully resolved in one manner or another, and

WHEREAS, the Mayor and Village Board have reviewed all available previously-unreleased minutes of Closed Sessions, and has considered the requirements of the Open Meetings Act and the advice of counsel, and has determined to take appropriate action with respect to those minutes of meetings.

NOW THEREFORE, BE IT RESOLVED by the Village of Winthrop Harbor, Lake County, Illinois, as follows:

SECTION ONE: The minutes of the following Closed Session meetings involve ongoing issues and shall *not* be released and incorporated into the open public records of this Board presently:

- 1999 - February 10, July 16, July 20
- 2001 - February 6
- 2002 - November 19
- 2003 - January 28, February 4, April 15 (except those parts previously released), April 23 (except those parts previously released), May 20 (except those parts previously released), July 15, August 19 (except those parts previously released), September 2
- 2004 - February 3, March 16, April 6, May 19, May 26, June 1, August 25, November 2, November 16
- 2005 - February 1, June 7, November 1, December 6
- 2006 - January 19, March 2, April 18, May 2, July 18, August 1, August 15
- 2007 - February 20, March 6, May 1, May 15
- 2008 - April 15, April 16, August 19, September 2, September 16, October 7, October 27, November 4

- 2009 - May 19
- 2010 - Feb. 2, March 2 (Partial Release), May 4, June 15, Oct. 12
- 2011 - June 7
- 2012 - Aug 21
- 2013 - Jan 15, April 16, Sept. 3, Sept. 17, Oct. 15, Nov. 5, Nov. 19, Dec. 3, Dec. 17
- 2014 - Feb. 18, April 29, May 15
- 2015 - Dec. 2, Feb. 3
- 2019 - Feb. 19

SECTION TWO: The minutes of the following closed session meetings involve concluded issues, or matters which should otherwise be released, which ***should*** be released and incorporated into the open public records of this Board presently:

- 2019 - Nov. 5

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WINTHROP HARBOR, ILLINOIS, ON THIS 16th DAY November, 2020.

APPROVED:

DR. MICHAEL BRUNO, MAYOR

ATTEST:

**JULIE RITTENHOUSE
VILLAGE CLERK**

**CLOSED SESSION
REGULAR BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES
November 5, 2019
8:20 PM**

Closed Session was called to order by Village Attorney Long at 8:20 pm.

Upon roll call the following Officials were present:

Mayor - Dr. Michael Bruno
Trustee - Buddy Hargett
Trustee - John Levin
Trustee - Robert Marabella
Trustee - Dana McCarthy
Trustee - Fritz Weiss
Trustee - Alanna Whitmore
Attorney - Robert Long
Village Administrator - Greg Jackson

Closed Session was called to Discuss Personnel Pursuant to 5 ILCS 120/2(c)(1)

RESTRUCTURING

Greg Jackson explained the restructuring process.

1. Administration – Shari Gamba - RIF. Savings of about \$45,000.00 a year. Part of this money (about half) will go to support another person for the Recreation Dept.
2. Look at the functions of Finance/HR – need review
3. Separate Economic Development and Community Development.
 - Realign (1) one CSO to Code Enforcement
 - Outsource Community Development – may result in RIF of Celia (?)
4. Separate EMA, Special Duties in PD
 - Marina; ZBTHS; St. Pat's
5. 6 CSO's – reduce to 3
6. Reduce number of Part-time Officers to only working Officers
7. Sheedy/Mohn – command structure

8. Public Works – Phil – buy out – health insurance \$17,592
- Atty. Long – Policy questions and workplace morale issues
 - Trustee Marabella – Department issues
 - Trustee Hargett – solid to stay or go irrespective of buyout

Consensus of Board – to RIF with buyout

Wrap-up – Shari selected for seniority alone – 30-day severance – Debbie and Julie will pick- up slack.

At 9:10pm we return to open session with no action taken.

Submitted by Julie Rittenhouse
Village Clerk
This is not a verbatim record

RESOLUTION 2020 - R - _____

**A RESOLUTION AUTHORIZING A REFERENDUM ON
CHANGING THE CLERK'S POSITION TO AN APPOINTED POSITION**

WHEREAS, Article VII, Section 7 of the Illinois State Constitution permits non home rule municipalities the right to alter their forms of government by referendum, and

WHEREAS, the Village Board finds that the position of Clerk is primarily a ministerial function, which is better suited to selection of a Clerk by the appointive process rather than through an election, and

WHEREAS, the Village Board finds that the voters of this Village have the right to consider whether they concur with the foregoing statement by voting on a referendum for the same proposition,

NOW THEREFORE, BE IT RESOLVED by the Village of Winthrop Harbor, Lake County, Illinois, as follows:

SECTION ONE: PUBLIC QUESTION ON CHANGING THE VILLAGE CLERK FROM AN ELECTED TO AN APPOINTED POSITION. A public question in substantially the following form shall be submitted to the voters of the Village of Winthrop Harbor, County of Lake, State of Illinois, at the November 3, 2020 general election (or at the next available election permitted by general election law), as follows:

Shall the Village of Winthrop Harbor alter its form of government by changing the position of village clerk from an elected position to one appointed by the mayor with the consent of the village board of trustees?	<u>YES</u>	<u>NO</u>
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SECTION TWO. FILING. The Village Clerk is hereby authorized and directed to file the authorizing Resolution and other related matters with the appropriate election officials in accordance with applicable law.

SECTION THREE: This resolution shall take effect immediately upon passage.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WINTHROP HARBOR, ILLINOIS, ON THIS ____ DAY OF _____, 2020.

ATTEST:

DR. MICHAEL BRUNO, MAYOR

JULIE RITTENHOUSE
VILLAGE CLERK

May 13, 2020

Ms. Lisa R. Shaw
Finance Director/Treasurer
Village of Winthrop Harbor
830 Sheridan Road
Winthrop Harbor, Illinois 60096

Dear Ms. Shaw:

A. Audit of financial statements

We are pleased to confirm our understanding of the services we are to provide the Village of Winthrop Harbor (the Village) for the year ending April 30, 2020. We will audit the financial statements of the governmental activities, the business-type activities, and each major fund which, collectively, comprise the basic financial statements of the Village of Winthrop Harbor as of and for the year ending April 30, 2020. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A) to supplement the Village's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, and historical context. *Since the basic statements for the Village (with the exception of the police pension fund reporting) will be prepared on the modified cash basis of accounting, there is no required supplementary information.*

We have also been engaged to report on management's discussion and analysis, supplementary financial schedules and supplementary information that accompany the Village's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements taken as a whole in a report combined with our auditor's report on the financial statements:

1. Schedule of Revenues Collected and Expenditures Paid-Estimated Revenues and Appropriations and Actual- General Fund- Modified Cash Basis
2. Schedule of Expenditures Paid (Detail)-Appropriations and Actual- General Fund-Modified Cash Basis
3. Schedule of Revenues Collected and Expenditures Paid-Estimated Revenues and Appropriations and Actual- Motor Fuel Tax Fund-Modified Cash Basis
4. Property Tax Assessed Valuations, Rates, Extensions and Collections- Last Five Fiscal Years.
5. Management's Discussion and Analysis

This proposal is submitted with the understanding that there are no federal audit requirements.

Audit Objective

The objective of our audit is the expression of an opinion as to whether your basic financial statements are fairly presented, in all material respects, in conformity with (excepting the police pension fund which is reported on the accrual basis of accounting) the modified cash basis of accounting which is an other comprehensive basis of accounting and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of accounting records and other procedures we consider necessary to enable us to express such an opinion. We will issue a written report upon completion of our audit of the Village's financial statements. Our report will be addressed to the Board of Trustees of the Village. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or to issue a report as a result of this engagement.

Audit Procedures – General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors or any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusions of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures – Internal Control

Our audit will include obtaining an understanding of the Village and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures – Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Village's compliance with applicable laws, regulations, contracts and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Other Services

We will assist in preparing the financial statements of the Village in conformity with the modified cash basis of accounting, assist in the preparation of depreciation schedules based on information provided by you and assist in preparing the annual report for the Office of the Comptroller. The Village will be required to review and approve both the financial statements and annual report as well as proposed adjusting journal entries prior to their issuance and have the responsibility to be in a position of fact and appearance to make an informed judgement on them. It is our understanding that you will be the individual responsible and accountable for overseeing our services.

Management Responsibilities

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation in the financial statements in conformity with the modified cash basis of accounting (accrual basis for the police pension fund).

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. Management is also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Management is responsible for adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually, and in the aggregate, to the financial statements taken as a whole.

Management is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) the modified cash basis of accounting management, (2) employees who have

significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communication from employees, former employees, regulators, or others. In addition, management is responsible for identifying and ensuring that the government complies with applicable laws and regulations.

Management is responsible for the preparation of the supplementary information (management's discussion and analysis, supplementary financial schedules and supplementary information) in conformity with the modified cash basis of accounting (accrual basis for the police pension fund.) You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Management responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the supplementary information in accordance with the modified cash basis of accounting; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with the modified cash basis of accounting; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

You agree to assume all management responsibilities for financial statement preparation services and any other nonattest services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, and other confirmations we request and will locate any documents selected by us for testing.

We expect to begin our audit in July, 2020 and issue our reports no later than September 15, 2020. John E. Blackburn will be the principal who is responsible for supervising the engagement and signing the report.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, typing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$26,500 which is the same as the prior year. *Our actual costs for the prior year audit were \$30,400.*

Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 120 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The fee estimate is based on anticipated cooperation from your personnel and the assumption that all bank accounts are reconciled and unexpected circumstances will not be encountered during the audit. The completion of this work has been considered in the quoted fees. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation.

Billings become delinquent if not paid within 60 days of the invoice date and a late charge shall be accrued on the unpaid amount at the rate of 1% per month from that date until paid. Also, at our election, we will stop work until your account is brought current, or we will withdraw from this engagement. You acknowledge and agree that we are not required to continue work in the event of your failure to pay on a timely basis for services rendered as required by this engagement letter. You agree that in the event we stop work or withdraw from this engagement as a result of your failure to pay on a timely basis for services rendered as required by this engagement letter, we shall not be liable to you for any damages that occur as a result of our ceasing to render services. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination

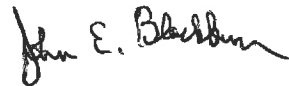
In addition to the audit of the financial statements of the Village as of and for the year ending April 30, 2020, we welcome the opportunity to assist you on general business and accounting matters. Should services other than those covered by this letter be required or requested, the extent of those services and additional fees will be discussed before performing the work. Time for such services will be billed separately at our standard hourly billing rates. Calendar year 2020 standard hourly billing rates remain as follows:

Principal	\$ 200
Staff Accountant	100

In addition, we have a separate engagement to perform the audit of the Village Police Pension Fund. The cost of this project has not been included in this proposal.

We appreciate the opportunity to be of service to the Village of Winthrop Harbor and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,



Swarztrauber & Co.

RESPONSE:

This letter correctly sets forth the understanding of the Village of Winthrop Harbor.

Officer Signature: _____

Title: _____

Date: _____



February 4, 2020

Mr. Gregory Jackson
Village Administrator
Village of Winthrop Harbor
830 Sheridan Rd.
Winthrop Harbor, IL 60096

Re: Resolution of Franchise Fee Audit Conducted by the Village of Winthrop Harbor

Dear Mr. Jackson,

Both the Village of Winthrop Harbor ("Village") and Comcast of Illinois XII, LLC ("Comcast") deem it to be to their mutual benefit to resolve their differences regarding the franchise fee audit ("Audit"). In an effort to resolve these differences both parties agree to the following:

1. The Village, for and in consideration of Comcast making a payment to the Village in the amount of six thousand six hundred sixty seven dollars and sixty nine cents (\$6,667.69) ("Recovery Amount") and other good and valuable consideration, the sufficiency of which is hereby acknowledged, shall release Comcast from any and all past, present or future claims, demands, actions, causes of action, suits, judgments, costs and expenses (including attorney fees) related to franchise fees incurred through September 30, 2019 (the "Release").
2. As additional consideration for the Release, Comcast shall provide to the Village, on a monthly or quarterly basis, covering the service period between October 1, 2019 and March 31, 2021, a report calculating the net revenues remitted to the Village as a result of changes made to Comcast customer information in conjunction with the Audit.
3. Comcast will remit the Recovery Amount to the Village within twenty-one (21) calendar days of receipt from Village countersigning this letter as noted below. The Recovery Amount shall be paid via check and mailed by certified or overnight mail to Greg Jackson at the above address.

4. The parties have entered into this resolution in accordance with the Cable Act (47 USC 521 et. seq.) and Illinois Municipal Code, including without limitation 65 ILCS 5/11-42-11 and the Illinois Constitution of 1970. Village and Comcast reserve and do not waive all rights each may have thereunder.
5. To the extent permitted by law, the Village and Comcast agree to keep this letter confidential, although it may provide this letter to its outside attorneys, accountants, auditors, and similar individuals or entities that have a legitimate need for the information contained herein. The Village shall not affirmatively publicize this resolution to any party. Comcast understands and agrees, however, that the fact that this resolution was reached is a matter of public record. If asked, a Village representative or Comcast may reference the fact that an agreement has been reached, and identify the general terms. Village representatives and Comcast shall not editorialize as to matters involving the allegations or negotiations leading to this resolution. Customer notice as is required by applicable law and regulation, and any communications by Comcast or Village related thereto, are not a violation of this resolution.
6. Without waiving any rights under 47 USC 542, Village and Comcast agree that each party shall bear its own legal costs, lawyer expenses or attorneys' fees, if any, incurred by it in connection with the subject matter hereof.
7. The consideration received by Village is in final settlement of all damages and monies owed for the period prior to and ending September 30, 2019 and shall stand as a complete bar to any action or proceeding to set aside or vacate this resolution because of a mistake in fact or otherwise.

If you concur with the above, countersign the document below. Please don't hesitate to contact me if you have any questions or need additional information.

Sincerely,



Matthew Summy

Vice President of External Affairs

Comcast

Gregory Jackson

Village Administrator

Village of Winthrop Harbor

Date