

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
JULY 28, 2010 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

I. Call to Order and Roll Call

At 7:35 p.m. President Sauer called the Meeting to order. The Deputy Village Clerk led the pledge of Allegiance, and then called the roll:

Present in Person: President Sauer, Trustees Boland, Koertner, Kolar, Pino
and Weiner

Absent: Trustee Das Gupta

Also Present: Kathy Nelander, Village Administrator
J.W. Braithwaite, Village Attorney
Kris Lennon, Deputy Village Clerk
Nancy Schumm-Burgess, Schumm Consulting LLC
Bruce Kramper, 175 Pheasant Run Trail
Gery Herrmann, 257 Kimberly Road
Jackie Andrew, 610 Signal Hill Road
Ed Harris, Lake County Sherriff's Department

II. PUBLIC COMMENT

There was no one who wished to speak.

III. CONSENT AGENDA

Item:

H. Approve Resolution #2569, Resolution Creating a Land Trust for Real Estate

was removed from the Consent Agenda for discussion.

Motion: On motion of Trustee Boland, seconded by Trustee Weiner, moved approval of the consent agenda consisting of the following agenda items:

- A. Approve Minutes Committee of the Whole Meeting – 6/16/10
- B. Approve Minutes of Board Meeting, Public Hearing – 6/23/10
- C. Approve 7/28/10 Vouchers for payment of bills
- D. Approve the Treasurer's Report for the 2nd month of Fiscal Year 2011
- E. Approve Resolution # 2566 appointing Bill Bishop, Plan Commission Chairman
- F. Approve Resolution # 2567 re-appointing Rob Haas, E&H Commission Member
- G. Approve Resolution # 2568 appointing David Wilford, Plan Commission Vice Chairman

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer, Trustees Boland, Koertner, Kolar, Pino and Weiner
Nays: None
Absent: Trustee Das Gupta
Abstain: None

President Sauer declared the motion approved.

Item removed from the Consent Agenda for further discussion:

H. Approve Resolution #2569, Resolution Creating a Land Trust for Real Estate

Trustee Boland suggested that the language of the Resolution be amended to reflect, “that any two of a) the Village President or a Village Trustee and b) the Village Clerk or Deputy Clerk of this Village are hereby given the authority to act for the Village relative to the Land Trust.

Motion: Trustee Boland moved to approve Resolution # 2569 as amended; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer, Trustees Boland, Koertner, Kolar Pino and Weiner
Nays: None
Absent: Trustee Das Gupta
Abstain: None

President Sauer declared the motion approved.

IV. ORDINANCES/CODE AMENDMENTS

A. (Tabled) Consideration of Ordinance # _____, Amending Village Code Title 6, Chapter 2, Animals

President Sauer explained that the matter had been tabled at the July Board meeting.

Motion: Trustee Koertner moved to remove from the table consideration of Ordinance # _____, Amending Village Code Title 6, Chapter 2, Animals; seconded by Trustee Pino:

Discussion: There was no discussion.

Vote on Motion

By Voice Call: The voice vote was unanimous in favor.

President Sauer declared the motion approved.

President Sauer explained that Trustee Das Gupta gave her consent for the Board to vote on the proposed ordinance in her absence.

Trustee Weiner suggested that the language in Section 6-2-3 paragraph "B" of the proposed ordinance be amended to reflect, "This Section shall not apply to an animal which bites, attacks or harms anyone who has provoked, tormented or abused it, or to an animal upon the premises without the consent of the owner of the premises...etc." Trustee Pino explained that Trustee Weiner's revision protects children who may wander onto a premises without the consent of the owner as opposed to a domestic animal that may wander onto a premises without the consent of the owner. Trustee Weiner confirmed.

Trustee Kolar stated that he is not comfortable passing the ordinance. There was discussion among the Board about whether the ordinance should be voted on at this time.

Trustee Pino stated that it would not be fair to vote on the ordinance in the absence of Trustee Das Gupta. He suggested tabling the ordinance which would additionally allow for resident feedback.

Trustee Boland suggested that the language be amended in Section 6-2-2 paragraph "C" which would allow the Village to impose a fine if written complaints are received from two or more neighboring property owners within a "90" day period. Trustee Boland additionally suggested that the proposed ordinance be placed on the Village website.

Gery Herrmann, 267 Kimberly Road, who is a veterinarian, commented on the open-ended definitions of a dangerous animal and dog running at large.

The Board agreed to the amendments as suggested.

Motion: Trustee Pino moved that the Board table the consideration of Ordinance # _____, Amending Village Code Title 6, Chapter 2, Animals as amended, until a subsequent Board meeting; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

<u>By Roll Call:</u> Ayes:	President Sauer, Trustees Boland, Koertner, Kolar and Pino and Weiner
Nays:	None
Absent:	Trustees Das Gupta
Abstain:	None

President Sauer declared the motion approved.

B. Consideration of Ordinance # 1189, Amendment to Ground Lease Agreement with Crown Castle GT Company LLC - *Crown Castle plans to modify AT&T's equipment*

located on the monopole located at the North Barrington Village Hall, 111 Old Barrington Road, North Barrington.

President Sauer explained that Crown Castle GT Company LLC “Crown Castle” would like to add more antennas to the Village monopole in order to provide better call coverage to AT&T customers.

Village Attorney J.W. Braithwaite explained that Crown Castle is required to obtain permission from the Village prior to modifying the monopole. Attorney Braithwaite noted that he would like to add the provision “subject to legal review” in order to research the ordinance for potential revenue.

Motion: Trustee Boland moved to adopt Ordinance # 1189 subject to legal review; seconded by Trustee Koertner.

Discussion: There was some discussion.

Vote on Motion

<u>By Roll Call:</u> Ayes:	President Sauer, Trustees Boland, Koertner, Kolar and Pino and Weiner
Nays:	None
Absent:	Trustees Das Gupta
Abstain:	None

President Sauer declared the Ordinance adopted.

C. Consideration of Ordinance # 1190, Amendment to Comprehensive Plan

There was discussion among the Board about exhibits and ordinances.

Trustees Pino and Boland suggested placing Exhibit “A” within Section 2 “verbatim”. The Board concurred.

Motion: Trustee Boland moved to adopt Ordinance # 1190 as amended; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

<u>By Roll Call:</u> Ayes:	President Sauer, Trustees Boland, Koertner, Kolar and Pino and Weiner
Nays:	None
Absent:	Trustees Das Gupta
Abstain:	None

President Sauer declared the Ordinance adopted.

V. ADMINISTRATION – President Bruce Sauer

A. Village Update

President Sauer provided an update of the Village's ongoing efforts toward the repair of the failing culvert on Rugby Road. It was noted that Village Engineers from Gewalt Hamilton, Inc. are working with the Army Corps of Engineers to obtain permits in order to expedite the repair. President Sauer explained that the road has been narrowed down to one lane and that the Village's goal is to have the repair completed by the end of summer.

President Sauer additionally stated that a resident complained about activities centered around a camp out and graduation held at the Biltmore Country Club's new pool house and late evening hours extending past a presumed "9:00 p.m. curfew". President Sauer explained that there is no curfew as reflected in the original agreement between the Village and the Biltmore Country Club. The pool may be used from dawn until dusk and that the cabana can be used after nightfall.

VI. REPORTS BY BOARD OF TRUSTEES

A. Trustee Edmund "Pete" Boland

Trustee Boland had nothing to report.

B. Trustee Ginger Das Gupta

1. Playground Equipment Repair

Trustee Das Gupta was absent.

Village Administrator Kathy Nelander explained that the Illinois Municipal League (ILM) Risk Department inspected the playground equipment at Eton Park in April. The Parks and Recreation Commission approved the repair of several items in the amount of \$250. However; a supporting bar on the "Cliff Climber" was dented and costly to repair. The ILM Risk Management Department noted the problem, but did not indicate the need for immediate action. The Board agreed with the ILM assessment that the Village monitor the supporting bar on the "Cliff Climber" and repair/replace if necessary. It was noted that the Village Administrator would advise the Parks and Recreation Commission of the Board's decision.

C. Trustee Camille Koertner

1. Recommendation from the E&H Commission re: Flint Creek Phase 1 Restoration

Trustee Koertner reported on the activities of the E&H Commission from the meeting held 7/13/10. She explained that the E&H Commission was asked to discuss restoration options to complete Phase I of the Flint Creek Restoration Project. The E&H Commission recommended approval of the moderate plan for seeding with cover crop and limited the area to a 20-30 foot

buffer zone on either side of the creek. It was additionally recommended that the Village obtain a minimum of three bids for the project. It was noted that Nancy Schumm-Burgess, Schumm Consulting LLC was directed to provide bids to the Board.

President Sauer stated that he is opposed to the 20-30 foot buffer zone on either side of the creek as limiting the restoration area may not accomplish the work required to complete the project.

Nancy Schumm-Burgess, Schumm Consulting LLC addressed the Board and provided estimates from three different contractors including ILM, Tallgrass, and Trillium for seeding with cover crop, maintenance for 2010-2011, and permanent seeding of the riparian zone of approximately 4 acres for Phase 1 of the Flint Creek Restoration Project located at Rugby/Essex roads. Ms. Schumm-Burgess recommended that the work be performed by Trillium in the amount of \$2,780 for 2010 which includes \$435 for cover crop seeding (summer) and \$2,345 for maintenance.

There was brief discussion among the Board.

Trustee Koertner stated that she agreed with Ms. Schumm-Burgess and recommended Trillium. Trustee Koertner reminded the Board that they will have to consider future engineering costs for the project.

Ms. Schumm-Burgess noted that she will have to revise the estimate to reflect work to be performed by Trillium for the 2010 year only.

Motion: Trustee Koertner moved that the Board approve award of a contract to Trillium in the amount of not to exceed \$2,780 which includes \$435 for cover crop seeding (summer) and \$2,345 for maintenance of the Phase 1 Flint Creek Project; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

<u>By Roll Call:</u> Ayes:	President Sauer, Trustees Boland, Koertner, Kolar and Pino
Nays:	None
Absent:	Trustees Das Gupta
Abstain:	Trustee Weiner

President Sauer declared the motion approved.

Trustee Koertner additionally reported that she attended the SWALCO Board of Director's meeting on 6/24/10. The topic of discussion focused on the mid-year 2010 Fiscal Year Budget review. Trustee Koertner reported that SWALCO had an expected budget deficit of \$77,560. She noted that there has been a continual decrease in local surcharge revenue from two landfills, as landfills are receiving less waste due to the slowdown of the economy. Trustee Koertner noted that at some point SWALCO will have to re-examine its revenue sources. Trustee Koertner also noted that the volume of tonnage being deposited into landfills is down 4% from last year.

D. Trustee Mark Kolar

Trustee Kolar reported that the Plan Commission met on 7/19/10. He explained that Dan Nass resigned as Chairman as he has moved from the Village. Bill Bishop is now Chairman and David Wilford is Vice Chairman. There are currently two openings on the Plan Commission including one alternate position. Trustee Kolar stated that it would be beneficial to have a few Wynstone residents on the Plan Commission.

Trustee Kolar noted that the Plan Commission commented on the publication of its recent meeting being noticed in a Waukegan paper. Village Attorney J.W. Braithwaite stated that there was a timing issue and that the Waukegan paper was the only publication that could accommodate the time sensitive issue.

E. Trustee Al Pino

Trustee Pino reported that he received a call from a resident who resides at 30 Hidden Oaks Lane who complained about standing water on his property as a result of drainage from Ill. Route 22. Trustee Pino visited the site and noticed the standing water. It was noted that the road has not been “accepted” by the Village and there are particular issues involving the property owners and the road.

President Sauer requested that Village Administrator Kathy Nelander research the history of the road. Village Attorney J.W. Braithwaite stated that he would contact Village Administrator Nelander.

F. Trustee Lawrence “Lawre” Weiner

Trustee Weiner had nothing to report.

VII. CLOSED SESSION

There was no closed session.

VIII. NEW BUSINESS

Trustee Weiner congratulated President Sauer on his new position as Chairperson of the Barrington Area Council of Governments Executive Board.

IX. OLD BUSINESS

There was no old business to discuss.

X. ADJOURNMENT

There being no further business to come before the Board, Trustee Weiner moved to adjourn the meeting; seconded by Trustee Kolar. The voice vote was unanimous in favor.

At 8:27 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held August 25, 2010.

Attest: _____
Kris Lennon, Deputy Village Clerk