

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
MARCH 19, 2008 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, Farrell, Kolar, Pino and Weiner

Absent: None

Also Present: Kathy Nelander, Village Administrator
J.W. Braithwaite, Village Attorney
Kris Lennon, Deputy Village Clerk
Bill and Camille Koertner, 58 S. Wynstone Drive
Bruce Kramper, 178 Pheasant Run Trail
Don Husted, 422 Kimberly Road
Ed Harris, Lake County Sherriff's Department
Patsy Mortimer, Flint Creek Watershed Partnership
Tim Moritz, Tallgrass Restoration, LLC
Doug Bauer, Tallgrass Restoration, LLC

II. Oath of Office

A. Camille Koertner, Trustee (Oath of Office administered by Village Clerk)

President Sauer explained that Camille Koertner, 58 S. Wynstone Drive, was appointed to the position of Trustee at the February Board meeting and welcomed her to the Board. President Sauer invited Trustee Camille Koertner come forward in order for the Clerk to administer the Oath of Office. The Clerk swore in Camille Koertner as Village Trustee, and Trustee Koertner was seated with the Board.

III. Public Comment

Don Husted, 422 Kimberly Lane, addressed the Board and requested that his phone number be removed from the Village's emergency call plan due to a phone call he received concerning the Canadian National Railroad, which he felt did not qualify as an emergency. He stated that the phone calls are disruptive to his wife who is handicapped.

President Sauer stated that Mr. Husted's phone number may be removed from the emergency call plan as long as he submits a written letter releasing the Village from any liability. Mr. Husted stated that he would do so.

IV. Consent Agenda

Items:

- H. Adopt Ordinance #1137 Illicit Discharge and Connection Ordinance – Code Amendment**
- I. Approve Resolution # 2476 appointing Trustee Lawrence Weiner as a member of the Board of Directors of SWALCO and Trustee Camille Koertner as an Alternate Member of the Board of Directors of SWALCO for the Village of North Barrington**

were removed from the Consent Agenda for discussion.

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

- A. Approve Minutes of Board Meeting – 2/27/08**
- B. Approve the 3/19/08 Vouchers for payment of bills**
- C. Approve the Treasurer’s Report for the 10th month of Fiscal Year 2008**
- D. Approve Arbor Day Proclamation**
- E. Approve Wynstone request for Fireworks Display on July 6, 2008**
- F. Adopt Ordinance # 1135 Revising Village Zoning Map**
- G. Adopt Ordinance # 1136 Revising Village Street & Address Map**
- J. Approve Resolution # 2477 Objecting to the Proposed Acquisition of the EJ&E West Company by the Canadian National Railway Corporation**
- K. Approve Resolution # 2478 Appointing Jane Farrell as an Alternate Member to the Barrington Area Council of Governments Executive Board**

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

Items removed from the Consent Agenda for further discussion:

- H. Adopt Ordinance # 1137 Illicit Discharge and Connection Ordinance- Code Amendment**

The Ordinance had been made available to the Board in advance of the meeting in their packet materials.

Trustee Farrell inquired about Section 4-7-11 (Watercourse Protection) of the proposed ordinance and how it relates to Village's efforts to restore Flint Creek.

Village Attorney J.W. Braithwaite stated that Section 4-7-11 refers to the obligation of the person through whose property a watercourse passes and the maintenance of that part of the watercourse. The Village will be seeking to undertake additional steps not covered in Section 4-7-11 in regard to the ecological restoration of Flint Creek. Attorney Braithwaite further explained that the proposed ordinance was recommended via Village Engineer Andrea Pracht as part of the National Pollutant Discharge Elimination Systems (NPDES).

President Sauer added that the Village will be seeking permission to access private property along Flint Creek in order to assist in the restoration.

Trustee Boland requested that the Board look at Section 4-7-6 (Discharge Prohibitions) which appeared to exempt sump pump discharge, foundation drains and footing drains, conceivably allowing the homeowner to discharge directly into watercourses without violation of the ordinance.

Village Attorney J.W. Braithwaite noted that the proposed ordinance is based on requirements of the NPDES permit program and that the Village Board could require a higher standard.

There was further discussion about drainage issues within the Village.

President Sauer asked Trustee Weiner if he, and the Environmental and Health Commission, would review Section 4-7-6 in terms of strengthening the language of the proposed ordinance. Trustee Weiner agreed.

Trustee Boland additionally questioned the appeal process of Section 4-7-14 (Appeal of Notice of Violation) and how it correlates with the Administrative Review Act. President Sauer asked Trustee Weiner to review the language in Section 4-7-14. Trustee Weiner agreed.

The Board agreed to have any amendments to the proposed ordinance submitted by the April Village Board meeting.

Motion: Trustee Boland moved to adopt Ordinance #1137; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

I. Approve Resolution # 2476 appointing Trustee Lawrence Weiner as a member of the Board of Directors of SWALCO and Trustee Camille Koertner as an Alternate Member of the Board of Directors of SWALCO for the Village of North Barrington

Trustee Weiner explained that his schedule may prohibit him from attending upcoming SWALCO meetings and suggested that Trustee Koertner be appointed as the representative member of the Board of Directors of SWALCO and that he be appointed as the alternate member.

President Sauer asked Trustee Koertner if she would accept the position as the representative member of the Board of Directors of SWALCO. Trustee Koertner agreed to accept the position.

Motion: Trustee Pino moved to approve Resolution #2476 as amended by substituting Trustee Koertner for Trustee Weiner; seconded by Trustee Weiner.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Farrell, Kolar, Koertner, Pino, and Weiner
Nays: None
Absent: None
Abstain: None

President Sauer declared the motion approved.

V. PRESENTATION

**A. Patsy Mortimer, Coordinator, Flint Creek Watershed Partnership
Resolution # 2479 Adopting the Flint Creek Watershed-Based Plan**

The Resolution had been made available to the Board in their packet materials. President Sauer invited Patsy Mortimer, Coordinator, Flint Creek Watershed Partnership (FCWP) to address the Board.

Ms. Mortimer began by explaining the history and goals of the FCWP. The FCWP includes eight municipalities and five townships located partially or entirely within the watershed. Their goal is to educate while building partnerships for projects to improve water quality, reduce flooding, and preserve/restore natural features.

The Flint Creek watershed drains approximately 36.5 miles through portions of Lake, Cook and McHenry Counties. North Barrington is part of the North Flint Creek sub-watershed and is unusual because the watershed flows north. Ms. Mortimer noted that Flint Creek is in poor condition. The FCWP has created a watershed-based plan including Lake, Cook and McHenry Counties and is in the process of presenting the plan for adoption to municipalities within the watershed. The watershed-based plan makes recommended projects eligible for federal funding under Section 319 of the Clean Water Act. The 319 grant is a 60/40 matching grant program

which provides the Village an opportunity to receive a 40 percent reimbursement, if the project qualifies.

Ms. Mortimer discussed various Action Plans including:

- Programmatic Action Plan – Watershed-wide actions based on goals/objectives
- Site Specific Action Plan – Identifies and maps potential project areas, then tabulates by local government
- Green Infrastructure (Open Space) Plan – Encourages land preservation by private land owners in cooperation with local governments
- Groundwater Recharge Plan
- Water Quality Monitoring Plan
- Information and Education Action Plan

Ms. Mortimer noted that there are Site Specific Action Plans solely for North Barrington, such as improving an existing a naturalized detention basin followed by water quality monitoring. She concluded by requesting that the Board adopt the Flint Creek Watershed-Based Plan.

Trustee Farrell asked where North Barrington should begin their action plan. Ms. Mortimer supports the Village's efforts to clean up Flint Creek and agrees that stream maintenance is a good place to start. She would also like to see detention basins integrate retrofit designs.

President Sauer stated that he would like to coordinate the Village's plan to restore Flint Creek with the FCWP-Based Plan. He added that the Environmental and Health Commission is looking into establishing rain gardens throughout the community and that the Plan Commission is looking into conservation maintenance ordinances.

Trustee Weiner noted that the Environmental and Health Commission is additionally interested in grant programs available for rain gardens.

There were questions from the Board about the grant application process.

Ms. Mortimer stated that many different grants are available in addition to the 319 Grant program; however the response period for the submitted application is lengthy and that there are time limitations to complete approved projects. It was noted that the deadline to apply for a 319 Grant is 8/1/08. Ms. Mortimer added that the FCWP would work with the Village on coordinating projects for submittal.

Trustee Weiner asked Ms. Mortimer how the Village would begin the water monitoring process. Ms. Mortimer expressed her appreciation for the Village's enthusiasm to clean up Flint Creek; however specific protocols have not been established.

President Sauer noted that the Village will need to work with the FCWP in order to establish a criterion and specific goals for ecological restoration and that Village funds are reserved for such use.

Ms. Mortimer encouraged the Board to take into consideration the matching grant dollars when allocating funds for ecological restoration.

Trustee Koertner thanked Ms. Mortimer for her efforts in coordinating the Flint Creek Watershed-Based Plan among all the different agencies and stakeholders. She noted that the FCWP can count on the support of the Village of North Barrington.

Motion: Trustee Weiner moved to approve the Flint Creek Watershed-Base Plan; seconded by Trustee Koertner.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

B. Doug Bauer, Tallgrass Restoration, LLC

President Sauer invited Doug Bauer, Tallgrass Restoration, LLC (Tallgrass Restoration) to address the Board.

Mr. Bauer stated that Tallgrass Restoration is a company dedicated to improving the area's native ecosystems. He gave an overview of the company and explained that the organization actually performs ecological restoration. Mr. Bauer recently gave a presentation to the Environmental and Health (E&H) Commission for designs regarding two Village beautification sites.

Mr. Bauer explained that his firm can restore shorelines affected by erosion by establishing a stable, diverse community of native plants, whose deep, fibrous roots resist erosion and absorb chemical run-off. The company can develop custom rain gardens to absorb overflow and improve water quality. Some plants have roots which can descend 16 feet into the ground. Other areas of specialization include:

- Ecological Mowing
- Prescribed Fire Implementation
- Herbicide Application
- Invasive species removal
- Seeding/ Planting

- Stormwater Management

Mr. Bauer distributed two proposed sketches illustrating designs for the Village beautification sites. The location at Miller Road and Highway 59 depicted a dry garden with terraced stone. The intersection of Honey Lake Road and Signal Hill Road depicted native plants and ecologically/ environmentally sound solutions.

Mr. Bauer stated that he could provide a full list of references and completed projects. He asked the Board if there were any questions.

Attorney J.W. Braithwaite asked Mr. Bauer if he was familiar with Flint Creek. Mr. Bauer stated that he and his associate have walked Flint Creek.

President Sauer stated that Tallgrass Restoration has many services that the Village may be able to use and that future consultation appears positive. The E&H Commission will be involved in the formation of rain gardens especially, E&H Commission Chairman Gery Herrmann.

Mr. Bauer stated that water quality monitoring for their company is solely performed by Mike Perkaus of Aquatic Ecosystems Management. Trustee Weiner noted that he received a call from Mr. Perkaus. Mr. Bauer added that his firm has a grant writer on staff to assist their clients with financing.

Trustee Pino asked about the square footage of the Miller Road/Route 59 beautification project. Mr. Bauer stated that it is approximately 115 feet long and 20 feet wide; the area is bordered with buckthorn hedge on the east side of Route 59 which may be removed to widen the area. It was noted that part of the area for the project is privately owned and other portions are Illinois Department of Transportation and Lake County right-of-ways.

There was discussion about the placement of a sign in addition to the beautification project located at Miller Road and Route 59. Mr. Bauer stated that the company could supply a wooden carved sign. A zoning variance would be required for sign placement.

Trustee Kolar stated that while he is supportive of the idea of creating Village beautification sites, is skeptical about the location of the Miller Road and Route 59 project.

President Sauer stated that the E&H Commission needs to further research the issues surrounding the beautification sites.

President Sauer thanked Mr. Bauer for his presentation.

VI. GROUND LEASE AGREEMENT

A. Ordinance # ____ Approving Ground Lease Agreement between Denali Spectrum Operations, LLC and the Village of North Barrington

President Sauer explained that Village Attorney J.W. Braithwaite is awaiting further information regarding the Ground Lease Agreement and that due to the March publication, recommended tabling the matter until the April Board meeting.

Motion: Trustee Farrell moved to table the matter of the Ground Lease Agreement between Denali Spectrum Operations, LLC and the Village of North Barrington; seconded by Trustee Weiner

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Farrell, Kolar, Koertner, Pino, and Weiner
Nays: None
Absent: None
Abstain: None

President Sauer declared the matter tabled.

VII. COMMISSION & STAFF REPORTS

President Sauer stated that the following items were contained in the Trustee's packets and if there were any questions, to contact the appropriate Commission Chair or Village Officer.

- A. Building Department Report (Kelly Rafferty – Rafferty Architects)**
- B. Engineering Project Status Report (Andrea Pracht – Baxter & Woodman)**
- C. Health & Sanitation Report (Natalie Karney – Land Technology)**
- D. Parks & Recreation Commission Meeting Minutes 3/3/08**
- E. Environmental & Health Commission Meeting Minutes 3/4//08**
- F. Plan Commission Meeting Minutes 3/10/08**

VIII. ADMINISTRATION – President Bruce Sauer

A. EJ&E Update

President Sauer explained that he recently attended a two day meeting in Springfield with state representatives and senators to discuss the Canadian National Railroad's (CN) proposed acquisition of the Elgin, Joliet, and Eastern Railroad (EJ&E).

President Sauer stated that the next coalition meeting is scheduled for 4/11/08 at the Makray Memorial Golf Club. The coalition, consisting of 40 communities from Lake, DuPage and Will Counties, will be selecting an executive board. President Sauer explained that he believes positions on the executive board should be reserved for those communities the EJ&E actually runs through. President Sauer stated that he cannot attend the upcoming coalition meeting and that his son, who has attended all prior coalition meetings, has volunteered. President Sauer

asked the Board if there were any other volunteers or objections. It was noted that there were no objections.

President Sauer further explained the importance of gaining support from state representatives and senators in order to prohibit the acquisition.

B. Approve Proposed Fiscal Year 2009 Budget

President Sauer asked if there were any questions from the Trustees regarding the proposed fiscal year 2009 budget.

Trustee Pino noted that \$145,000.00 is in the Stormwater Management Budget and that a portion of the funds will be used toward the restoration of Flint Creek. He further stated that the Building Department Budget was reduced due to a decrease in permits.

Trustee Weiner asked if there are funds available for the Village beautification projects, if approved. Trustee Pino replied that a budget was not specifically created for the beautification projects however funds are available from other sources.

Motion: Trustee Kolar moved to approve the proposed Fiscal Year 2009 Budget; seconded by Trustee Weiner

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

C. Barrington Relay for Life-President Challenge, June 14th and 15th

President Sauer stated that the Barrington area Relay for Life, President's Challenge, is scheduled for June 14th and 15th at Good Shepherd Hospital, 450 West Highway 22 in Barrington. Area Village President's are organizing and encouraging their communities to participate in helping raise money for the American Cancer Society. The event begins at 6:00 p.m. on 6/14/08. President Sauer positively encouraged Village participation.

D. Village of North Barrington 50th Anniversary, October 2009

President Sauer stated that the Village of North Barrington will be celebrating its 50th Anniversary in October 2009. President Sauer requested a volunteer to organize a small committee to coordinate the event.

Trustee Farrell volunteered to organize a committee and suggested that a logo or emblem be created for the anniversary year.

IX. REPORTS BY BOARD OF TRUSTEES

A. Trustee Boland

Trustee Boland had nothing to report.

B. Trustee Farrell

Trustee Farrell had nothing to report.

C. Trustee Kolar

Trustee Kolar reported that he has concerns for water ponding issues at 82 Honey Lake Road and has asked Village Officer Natalie Karney to look into the matter.

D. Trustee Koertner

Trustee Koertner had nothing to report

E. Trustee Pino

Trustee Pino reported that the Zoning Board of Appeals did not meet during the month of March and that Village Building and Zoning Officer Kelly Rafferty included abandoned and expired permit applications in his March memorandum.

F. Trustee Weiner

Trustee Weiner stated that he received a letter from the property owners located at 135 Hillandale Court regarding a drainage issue in front of their house.

Trustee Pino stated that he spoke with Cuba Township Highway Commissioner Tom Gooch concerning the matter.

President Sauer recommended that Trustee Weiner give the information to Trustee Kolar to investigate.

X. CLOSED SESSION:

There was no closed session.

XI. NEW BUSINESS

A. Bank Liaison

President Sauer asked Trustee Pino if would consider volunteering for the position of bank liaison in order to monitor the Village's bank accounts. Trustee Pino agreed to take the position and requested that the bank accounts be provided for his review. It was noted that Village Administrator Kathy Nelander would supply Trustee Pino with all of the information and data.

XII. OLD BUSINESS

A. Update - Properties at 610 and 615 Signal Hill Road

President Sauer stated that the he visited the properties located at 610 and 615 Signal Hill Road with their respective owners, representatives from Gewalt Hamilton, Inc. and the Lake County Health Department. It was the general understanding that the culvert located in front of 610 Signal Hill Road is tied into an old drain tile creating a tremendous amount of back pressure forcing water onto the property at 615 Signal Hill Road. There was discussion about repairing the old drain tile and culvert as well as, the property owners repairing the drainage issues on their properties, however no action has been taken at this time.

XIII. ADJOURNMENT

There being no further business to come before the Board, Trustee Pino moved to adjourn the meeting; seconded by Trustee Kolar.

At 9:30 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held April 23, 2008.

Attest: _____
Kris Lennon, Deputy Village Clerk