

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
JUNE 25, 2008 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

I. Call to Order and Roll Call

At 7:38 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, Koertner, Pino
and Weiner

Absent: None

Also Present: Kathy Nelander, Village Administrator
J.W. Braithwaite, Village Attorney
Andrea Pracht, Village Engineer
Kris Lennon, Deputy Village Clerk
Ed Harris, Lake County Sherriff's Police,
1301 N. Milwaukee, Libertyville
John Schnure, 224 Orchard Road
Brian Nastruz, North Barrington
Patricia Wadsworth, 267 Woodland Drive
John Fessel, 555 Signal Hill Road
Cindy Payne, 255 Oxford Road
Nick Capaccio, 640 Masland Court
Gery Herrmann, 257 Kimberly Road

II. Public Comment

Patricia Wadsworth, 267 Woodland Drive addressed the Board regarding drainage issues on her property. Ms. Wadsworth requested that the Village install an under drive culvert which she felt would alleviate stormwater that ponds at the base of her driveway during storm events.

President Sauer stated that the Village has examined the issue; however a resolution has not been established.

Trustee Kolar stated that he would contact Highway Commissioner Tom Gooch of the Cuba Township Road District regarding Ms. Wadsworth's drainage concern.

Cindy Payne, 255 Oxford Road, addressed the Board to follow up with her concerns about the placement of a stop sign at the intersection of Golfview Drive and Oxford Road. Ms. Payne feels that the intersection is dangerous and stated that since the May Board meeting she's observed children traveling down Oxford Road on skateboards. Ms. Payne suggested reflectors in addition

to the placement of a stop sign. Secondly, Ms. Payne requested that the Village consider the placement of a “dangerous intersection” sign on Biltmore Drive just before the intersection on Oxford Road.

Trustee Kolar explained that he spoke with Highway Commissioner Tom Gooch of the Cuba Township Road District about the placement of a stop sign at the intersection of Golfview Drive and Oxford Road.

Discussion followed among the Board about whether a traffic study is required for the placement of a stop sign. It was noted that Village Attorney J.W. Braithwaite would review the Village Code to substantiate requirements prior to the next Board meeting.

President Sauer explained that it is important for the Trustees to visit the sites prior to voting on the placement of signs within the Village.

It was noted that the Board would re-evaluate the issues at the July Board meeting.

John Schnure, 224 Orchard Road, addressed the Board. Mr. Schnure commended Highway Commissioner Tom Gooch of the Cuba Township Road District on the condition of the repaired pot holes and roads within the Village. Mr. Schnure stated that more attention needs to be paid to the trimming of weeds and shrubs along roadsides to create better visibility. Mr. Schnure further stated that the placement of unauthorized signs in the Village is prohibited and referred to the Canadian National Railway signs which are currently posted; he requested removal of the signs. In conclusion, Mr. Schnure commented on residential wind turbines and their value as a clean source of energy. Mr. Schnure stated that current technology provides roof-mounted structures. Mr. Schnure introduced Brian Nastruz to address the Board to further explain the benefits of residential wind turbines.

Brian Nastruz, resident, addressed the Board and stated that he is interested in constructing a free standing wind turbine structure on his property. Mr. Nastruz explained that wind turbines require wind for generation and are more effective when placed higher. Mr. Nastruz calculated that in order for the wind turbine to be effective on his property, the structure would need to be approximately 60 feet in height. He further added that wind turbines have ecological benefits and are cost effective.

President Sauer explained that power-generating windmills are not permitted in the Village however it would benefit the Village to examine the change in technology. President Sauer thanked Messrs. Schnure and Nastruz.

Nick Capaccio, 640 Masland Court, addressed the Board. Mr. Capaccio explained that he lives in the Pennington Ponds subdivision and that someone obstructed the storm sewer located on the southwest corner of his property via excavation, consequently disturbing the flow of drainage to the swale located on north side of Rainbow Road. Mr. Capaccio notified the Village and an inspection at the site ensued by Highway Commissioner Tom Gooch of the Cuba Township

Road District. Mr. Capaccio stated that he was not satisfied with the assessment and subsequent repair. Mr. Capaccio explained that he is unaware of the party who caused the disturbance and brought in photographs for the Board to review.

President Sauer stated that he visited the site and that it did not look as substandard as Mr. Capaccio claimed. President Sauer further asked if there was an existing problem.

Mr. Capaccio stated that the ditch does not drain properly and continues to pool. He further believes that structural damage was done to Rainbow Road as a result of the ditch being excavated.

It was noted that a Village permit was not issued for any road repairs and/or construction on Rainbow Road and whoever did the work, operated independently.

President Sauer explained that the Cuba Township Road District would re-assess the issue however Trustee Boland suggested that Village Engineer Andrea Pracht visit the site to examine the issue.

Mr. Capaccio stated that he would be satisfied if an engineer examined the road and ditch.

It was agreed upon by the Board that Village Engineer Andrea Pracht would visit the site.

John Fessel, 555 Signal Hill Road, addressed the Board. Mr. Fessel stated that numerous golf balls continue to land in his front yard from the driving range at the Biltmore County Club and that it is not safe to be in his front yard. Mr. Fessel stated that he spoke with the Biltmore Country Club Golf Manager Doug Bauman who stated that the Village would not allow them to erect netting due to height restrictions. Mr. Fessel stated that the Biltmore Country Club placed netting along the west end of the driving range adjacent to the club's tennis courts.

President Sauer stated that the Biltmore Country Club has not requested permission from the Village to erect netting along the Signal Hill Road end of their driving range; furthermore; the Biltmore Country Club would need to need to seek and secure a zoning variation in order to erect similar netting along Signal Hill Road, precisely as they did for the netting along the west end of the driving range.

Trustee Weiner stated that he would contact Golf Manager Doug Bauman for Mr. Fessel.

III. Consent Agenda

Motion: Trustee Weiner moved approval of the consent agenda consisting of the following agenda items; seconded by Trustee Kolar:

- A. Approve Minutes of Board Meeting 5/28/08, Special Board Meeting 6/2/08**
- B. Approve 6/25/08 Vouchers for payment of bills**

- C. **Approve the Treasurer's Report for the 1st month of Fiscal Year 2009**
- D. **Adopt Ordinance # 1145 Annual Appropriation Ordinance**
- E. **Approve Resolution # 2487 re-appointing (Arnstein & Lehr), J.W. Braithwaite & N. Harbottle, Attorneys**
- F. **Approve Resolution # 2488 re-appointing (Land Technology, Inc.), Natalie Karney, Health Officer**
- G. **Approve Resolution # 2489 re-appointing (Rafferty Architects), Kelly Rafferty, Building and Zoning Officer**
- H. **Approve Resolution # 2490 re-appointing (Baxter & Woodman, Inc.), Andrea Pracht, Village Engineer**
- I. **Approve Resolution # 2491 re-appointing Matthew Menges, Fire Commissioner**
- J. **Approve Resolution # 2492 re-appointing Susan Allman, Environmental & Health Commission**
- K. **Approve Resolution # 2493 re-appointing John Cifonelli, Vice Chairman, Zoning Board of Appeals**
- L. **Approve Resolution # 2494 approving Prevailing Wages for construction work in Lake County (re: Prevailing Wages Act: regulating wages of laborers, mechanics, and other workers)**

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.

IV. ORDINANCES/VARIATION REQUESTS/CODE AMENDMENTS

A. Request for Extension of Zoning Variations Granted by Ordinance #1123, Mr. & Mrs. Jeremy Mates, 294 N. Highway 59

President Sauer explained that the Zoning Board of Appeals (ZBA) previously recommended approval of certain zoning variances needed to construct an addition to the property located at 294 N. Highway 59. The zoning variances were approved by the Village Board on 8/27/07 by Ordinance #1123. Health & Sanitation variations needed to construct a new septic system were also granted by the same Ordinance. Mr. & Mrs. Mates did not secure a building permit for the addition within six months of the grant of the variation and the zoning variations expired however; the Zoning Ordinance provides that the term of a zoning variation may be extended by the Board of Trustees. Mr. & Mrs. Mates have requested an extension of the zoning variations in order to be allowed to construct the proposed addition at some point in the future. However, he

wishes to install the new septic system in the immediate future in accordance with the approved plan and Health & Sanitation variations granted last year.

Trustee Farrell stated that her concern is for the landscaping which was to be planted when the fence was erected in the front yard pursuant to a previous ordinance. According to Trustee Farrell, Mr. Mates agreed to remove buckthorn and plant trees along the fence in order to conceal the view of the fence. President Sauer concurred.

Trustee Pino stated that he attended the ZBA meeting on 6/10/08 and that the ZBA unanimously recommended approval of the extension; Mr. Mates has been in contact with Village Building and Zoning Officer Kelly Rafferty who did not object to the extension. Trustee Pino further stated that he visited the property and that Mr. Mates planted trees according to the requirements; the trees are currently small but will eventually grow in size.

Trustee Boland stated that he has concerns about the septic system being installed prior to the construction of the addition. President Sauer agreed.

It was noted by Trustee Kolar that Mr. Mates has two properties in the Village listed for sale including the property at 294 N. Highway 59.

Trustee Boland suggested that the extension be granted for an additional six months and that the Board will re-examine the issue at that time. Trustee Boland added that the installation of a new septic system may benefit the property.

Trustee Farrell noted that the economy makes it difficult to sell homes at this time.

There was continued discussion among the Board about the previously recorded ordinance.

Motion: Trustee Boland moved to approve a six month extension of the zoning variations granted by Ordinance #1123; 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:	President Sauer
Absent:	None
Abstain:	None

President Sauer declared the motion approved.

V. 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. Building Inspection Report (B&F Technical Code Services, Inc.)**
- C. Engineering Project Status Report (Andrea Pracht – Baxter & Woodman)**
- D. Health & Sanitation Report (Natalie Karney – Land Technology)**
- E. Environmental & Health Commission Meeting Minutes 6/3/08**
- F. Plan Commission Meeting Minutes 6/9/08**
- G. ZBA Meeting Minutes 6/10/08**

Trustee Kolar inquired about the Building Department Report, specifically the status of the application seeking permits to demolish the existing house and construct a new house for the property located at 475 E. Oxford Road. The house is vacant and the owner has not maintained the yard; neighbors are complaining of the un-kempt conditions.

Village Attorney J.W. Braithwaite stated that the owners have a right to maintain a vacant house as long as it is habitable.

It was noted that B&F Technical Code Services inspected the property and that a report was submitted to the property owner.

President Sauer requested that all information regarding the property be provided to Village Attorney J.W. Braithwaite for review. It was noted that Village Administrator Kathy Nelander would contact Kelly Rafferty, Village Building and Zoning Officer with the request.

Attorney Braithwaite explained that a title search can be performed if necessary.

VI. ADMINISTRATION – President Bruce Sauer

A. Tallgrass Restoration Proposals

President Sauer explained that a Memo was submitted by Deputy Village Clerk Sue Murdy regarding a preliminary meeting with the Barrington Area Conservation Trust (BACTrust) on June 19, 2008 which included Nancy Schumm-Burgess of BACTrust, Doug Bauer and Tim Moritz of Tallgrass Restoration, LLC, Patsy Mortimer of Flint Creek Watershed Partnership, Susan Allman, Village Forester, and Sue Murdy, Deputy Village Clerk. The purpose of the meeting was to discuss the role of the parties in regards to the restoration project of Flint Creek. President Sauer stated that there was nothing new to report; ongoing efforts continue.

VII. REPORTS BY BOARD OF TRUSTEES

A. Trustee Boland

Trustee Boland reported that the first summer concert featuring the “Pan Go Steel Band” was held June 14th at Eton Park and approximately 150 residents attended. Shortly after the start of

the concert, storms moved in and the event ended. The next concert, “Bopology”, will be held Saturday, July 26th at 6:00 p.m. and encouraged residents to attend.

Trustee Farrell suggested that the Parks and Recreation Commission consider constructing or installing a bigger shelter for the protection of Village residents in the event that a storm occurs during a concert. President Sauer agreed and thanked Trustee Farrell for her suggestion.

B. Trustee Farrell

Trustee Farrell reported that the Plan Commission had many questions regarding the restoration of Flint Creek and that they are unclear as to their role in the restoration process.

Village Administrator Kathy Nelander explained that Nancy Schumm-Burgess of the Barrington Area Conservation Trust will be attending the July Village Board meeting to give a presentation on the grant writing process and cost share programs. Administrator Nelander suggested that members of the Plan Commission attend.

C. Trustee Kolar

Trustee Kolar reported that the 2008 Village Road Program has begun. Under driveway culverts have been staked on the roads that are listed for repair.

Trustee Kolar additionally stated that he would like to see pending road issues addressed. President Sauer agreed and asked that Trustee Kolar compile a list of issues and coordinate a meeting to discuss.

D. Trustee Koertner

Trustee Koertner reported that she attended a grant writing seminar on June 17th hosted by the Flint Creek Watershed Partnership (FCWP). Information from the meeting can be found on the FCWP website at: www.flintcreekwatershedpartnership.org.

Trustee Koertner reported that she also attended the FCWP meeting on June 24th. Trustee Koertner explained that the grant writing process is complex and added that Nancy Schumm-Burgess of the Barrington Area Conservation Trust will be a valuable asset with the grant writing process. Trustee Koertner noted that the deadline to apply for a 319 Grant is 8/1/08 and that approval for a grant can take up to one year.

Trustee Koertner reported that she will be attending the Solid Waste Agency of Lake County (SWALCO) meeting on June 26th. Trustee Koertner noted that the city of Waukegan has not paid their dues and that SWALCO is planning to vote on suspending Waukegan’s membership during the scheduled meeting.

E. Trustee Pino

Trustee Pino reported on the Building and Zoning Activity Report submitted by Village Building and Zoning Officer Kelly Rafferty. Trustee Pino noted that he attended the Zoning Board of Appeals (ZBA) meeting on 6/10/08.

F. Trustee Weiner

Trustee Weiner reported on the activities of the Environmental and Health Commission. Trustee Weiner stated the seminar which was given on the maintenance and function of well/septic systems during the Arbor Day Celebration 4/26/08 was low in attendance. Trustee Weiner attributed the low attendance to residents having access to septic information on the internet.

President Sauer asked Gery Herrmann, 257 Kimberly Road, Chairman of the Environmental and Health (E&H) Commission, who was seated in the audience, if he had anything further to add. Mr. Herrmann stated that the E&H Commission is slowing down their efforts relating to the restoration of Flint Creek. The E&H Commission is awaiting information from Nancy Schumm-Burgess of the BACTrust and Tallgrass Restoration, LLC. Trustee Weiner stated for the record that there is no conflict of interest for the Village if the initial restoration work begins on his property per Village Attorney J.W. Braithwaite.

VIII. CLOSED SESSION:

There was no closed session.

IX. NEW BUSINESS

President Sauer stated that TRAC (The Regional Answer to Canadian National), a larger coalition opposed to the Canadian National Railway's acquisition of the Elgin, Joliet and Eastern Railway, submitted a proposal requesting a contribution for an additional \$10,000.00 from the Village. President Sauer explained that he is hesitant to participate until the Surface Transportation Board releases the Environmental Impact Study. President Sauer explained that the Village is planning to decline the proposal because the impact of a donation at this time would be ineffective.

It was noted that there are approximately forty-eight municipal members of TRAC.

Discussion followed about the impact of the proposed acquisition on realtors and real estate within the Village and surrounding communities.

X. OLD BUSINESS

There was no old business to discuss.

XI. ADJOURNMENT

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

At 9:05 p.m. President Sauer declared the meeting adjourned.

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

Attest: _____
Kris Lennon, Deputy Village Clerk