

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
JANUARY 23, 2008 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

I. Call to Order and Roll Call

At 7:36 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 Farrell, Kolar, Pino and Weiner
Absent: Trustees Boland and Contorno
Also Present: Kathy Nelander, Village Administrator
J.W. Braithwaite, Village Attorney
Natalie Karney, Village Health Officer
Kris Lennon, Deputy Village Clerk
Joe Arizzi, Wauconda Fire Department
Ed Harris, Lake County Sherriff's Department
Tom O'Connor, 249 Biltmore Drive
Pat Ryan, 404 Concord Lane
Tony A. Solano, Barrington Courier
Michael Shrake, P.E., Gewalt Hamilton Associates, Inc.
Katherine Grover, 173 N. Signal Hill Road

II. Public Comment

Katherine Grover, 173 N. Signal Hill Road addressed the Board. Ms. Grover requested permission to increase voter awareness and participation for the primary elections by ringing a bell in front of her neighbors' houses as a reminder to vote. She stated that she lives on N. Signal Hill Road and that she would confine the ringing to her street. The elections are scheduled for 2/5/08. Ms. Grover stated that she plans to notify the neighbors of her intentions by distributing a flyer one week prior to the election.

President Sauer stated that increasing voter awareness is important and commended Ms. Grover for her efforts however, felt that 6:00 a.m. was a very early time to notify residents.

There were comments from the Board that some residents may find her efforts a nuisance if the bell was rung at 6:00 a.m.

President Sauer stated that the Village was not in the position to approve or disapprove her request, though it was his opinion that if she pursues her endeavor, it should be done after 8:00 a.m. during hours of construction approved by the Village. President Sauer stated that he would be interested in hearing the results of Ms. Grover's efforts.

It was noted that Ms. Grover may not personally put the flyers in or on the resident's mailboxes as anything placed inside a mailbox must carry a postmark.

Lastly, Ms. Grover suggested that the Village reduce the amount of signage within the Village particularly at the intersection of Old Barrington Road and Signal Hill Road. President Sauer stated that Ms. Grover should contact Village Administrator Kathy Nelander with her comments.

III. Consent Agenda

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

- A. Approve Minutes of Public Hearing – 12/17/07**
- B. Approve Minutes of Board Meeting – 12/17/07**
- C. Approve the 1/23/08 Vouchers for payment of bills**
- D. Approve the Treasurer's Report for the 8th month of Fiscal Year 2008**

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

IV. VARIATIONS/ANNEXATIONS/CODE AMENDMENTS

- A. Ordinance #1132 Request for Health & Sanitation and Zoning Variations for the property at 239 Beachview Lane, North Barrington as submitted by Mr. Thomas L. O'Connor, 249 Biltmore Drive, North Barrington, Illinois**

The Ordinance had been made available to the Board in their packet materials. President Sauer explained that the matter was tabled at the December Village Board meeting and invited Village Health Officer Natalie Karney to address the Board.

Ms. Karney stated that she spoke with Chairman of the Zoning Board of Appeals Warren Nass about Mr. O'Connor's plans to relocate the existing kitchen to the upper level. Due to the existing full bath in the lower level, Mr. Nass had concerns that the lower level could be used as an additional bedroom. Ms. Karney noted that the proposal did not include an increase in bedrooms therefore no septic system updates were required.

Ms. Karney explained that she met Mr. O'Connor at the property on 1/15/08 along with Village Building and Zoning Officer Kelly Rafferty. Upon completion of the site meeting, Mr. O'Connor

indicated that he was willing to eliminate the lower level bathtub and shower, as well as, install an aerator system. It was noted that the kitchen appeared to have originally existed in the upper level and by moving the kitchen back to the upper level of the house would re-create its original design.

President Sauer asked the Board for their comments.

Trustee Kolar stated that his concern was about future septic problems and the number of residents which may occupy the house.

Mr. Thomas O'Connor, 249 Biltmore Drive, addressed the Board and stated that while he is willing to remove the lower level bathtub and shower and install an aerator system in order to attain approval for his variance request, he did not understand why, since the Zoning Board of Appeals recommended approval of his request.

President Sauer explained that it is in the best interest of the Village for the Board to take conservative actions with issues relevant to septic problems in order to safeguard the community, especially with non-conforming lots.

Village Attorney J.W. Braithwaite stated that in order for the ordinance to be effective as to future owners, it will need to be signed by the homeowners and recorded at the Lake County Courthouse.

Trustee Pino verified with Mr. O'Connor that the property would not provide for more than three (3) bedrooms.

Village Attorney J.W. Braithwaite recommended that the proposed ordinance be amended on page (3) of section (1) to include the ending language, "and all pipes and drains serving the above shall be capped in concrete".

There were further questions from the Board about the Village Code, septic systems, and the number of allowable bedrooms per unit. Village Heath Officer Natalie Karney responded to the inquiries.

Motion: Trustee Pino moved to approve Ordinance # 1132 as amended; seconded by Trustee Farrell.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

**B. Ordinance # 1133 Annexation of properties surrounded by the Village
Annex the following unincorporated properties: 22588 N. Honey Lake Road, 22606
Honey Lake Road and 22613 Honey Lake Road**

The Ordinance had been made available to the Board in their packet materials. It was noted that the property owners were not in attendance. President Sauer asked if there were any questions about the annexations.

Trustee Kolar asked if these were forcible annexations. President Sauer replied that the properties are forcible annexations and that the Village chose to annex these properties because the properties are completely surrounded by North Barrington.

It was noted by Village Attorney J.W. Braithwaite that legal notification of the annexation is solely required to be published in the newspaper. The residents were notified via publication and additionally sent correspondence by the Village.

Motion: Trustee Kolar moved to approve Ordinance # 1133; seconded by Trustee Weiner.

Discussion: There was some discussion.

Vote on Motion

<u>By Roll Call:</u> Ayes:	Trustees Farrell, Kolar, Pino and Weiner
Nays:	None
Absent:	Trustees Boland and Contorno
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. Parks & Recreation Commission Meeting Minutes 1/7/08**

VI. ADMINISTRATION – President Bruce Sauer

A. Resignation of Trustee Rick Contorno

President Sauer stated that Trustee Contorno had resigned his position as Village Trustee. As a result of his resignation, President Sauer stated that he would like to appoint Camille Koertner,

58 S. Wynstone Drive, as his successor. President Sauer explained that Ms. Koertner has been involved within the community and is currently serving on the Plan Commission. Those that have served with Ms. Koertner have been extremely pleased with her efforts and attendance. As a Wynstone resident, Ms. Koertner would replace Trustee Contorno's representation within the Wynstone community.

Trustee Weiner stated that he would like take into consideration other candidates by placing public notice in the newspaper which would open the position to the public. Trustee Weiner noted that he would like information sent to him regarding Ms. Koertner.

Trustee Farrell stated that she feels that those who have been active and involved within the committees should have first consideration.

Trustee Pino stated that he was comfortable with the selection of Ms. Koertner and that it is the duty of the Trustees to approve the President's appointment, unless there is a good reason not to.

Trustee Kolar stated that he has worked with Ms. Koertner on the Plan Commission and has no objection to her however, feels that the community should have more than one choice. Trustee Kolar supports Trustee Weiner's position that the Village should take into consideration other candidates.

Village Attorney J.W. Braithwaite noted that Trustee Pino's comment was accurate in that the Trustees may encourage to President to consider more than one person however, the appointment is a presidential appointment subject to the Board's concurrence.

There was further deliberation among the Board.

President Sauer appointed Camille Koertner as Village Trustee to serve until the April 2009 Election; subject to ratification. The appointment is temporary subject to a subsequent vote by the Village Board.

VII. REPORTS BY BOARD OF TRUSTEES

A. Trustee Boland

Trustee Boland was absent.

B. Trustee Contorno

Trustee Contorno was absent.

C. Trustee Farrell

Trustee Farrell had nothing to report.

D. Trustee Kolar

Trustee Kolar stated that he spoke with Michael Shrake, P.E., Gewalt Hamilton Associates, Inc. and Tom Gooch, Cuba Township Highway Commissioner to discuss the possibility of installing a stop sign at the corner of Signal Hill Road and Biltmore Drive for traffic heading eastbound on Signal Hill Road.

Mr. Shrake addressed the Board and noted that due to the geometry and configuration of the intersection, he would like to come back to the Board with a recommendation or short memo after further review.

E. Trustee Pino

Trustee Pino reported on the Village Building and Zoning Officer Activity Report submitted by Kelly Rafferty. Trustee Pino noted that the property located at 297 Homewood Lane is going to auction on 1/26/08. Mr. Rafferty attended an open house held by the auctioneers on 1/15/08 to observe and document the existing condition of the property. Additionally, Mr. Rafferty has been fielding phone calls from potential purchasers and informing them that the property has been declared unfit for habitability due to septic system and property maintenance code violations.

F. Trustee Weiner

Trustee Weiner reported that the Environmental & Health Commission (E&H) is continuing to work on the Village Beautification Project and anticipates that the (2) beautification projects can be completed for under \$10,000.00. Trustee Weiner stated that he would like to review the budget from last year which may need to be increased in the coming year.

President Sauer stated that approval for the Fiscal Year 2009 budget is forthcoming, and would like to have the Trustee's budget recommendations for the commissions they're assigned to. It was noted that Village Administrator Kathy Nelander would provide the Trustees with budget histories.

President Sauer stated that culvert improvements in Biltmore, specifically Biltmore Drive and Eton Drive, may be postponed in order to coordinate proposed work with the Lake County Department of Transportation and the Miller Road Improvement Project.

Trustee Weiner concluded by informing the Board that the E&H continues to research viable alternatives for leaf pick-up services.

VIII. CLOSED SESSION:

There was no closed session.

IX. NEW BUSINESS

A. 610-615 Signal Hill Road

President Sauer invited Michael Shrake, P.E., Gewalt Hamilton Associates, Inc. to address the Board to discuss the drainage issues regarding the properties located at 610 and 615 Signal Hill Road as well as, the Village's 2008 Road Program.

Mr. Shrake began by discussing the drainage issues on Signal Hill Road. Detailed topographic maps of this area were completed of these two lots. Overall topography of the area was provided using 2' contours available through the Lake County GIS. Maps of both these topographies were presented to the Village Board. Photos of both properties as well as a preliminary opinion of probable cost were also provided to the Board.

Mr. Shrake discussed the property at 615 Signal Hill Road. A review of the permit documents showed that the garage opening was built approximately 2.3' below the approved plans. The garage was supposed to be higher than Signal Hill Road by approximately 0.8'. Instead it was built approximately 1.5' below the road. The low opening into the garage is the low spot for this drainage area when the storm sewers and field tile capacities are exceeded. During any substantial rainfall event, water will not flow out of this area and will flow into the garage and into the home. In addition the proposed storm sewer piping as part of the lot improvements were built differently than the approved plan.

The home at 610 Signal Hill Road was constructed over a ravine that provides the natural drainage relief for this area. As drainage flows from the east and the south of Signal Hill Road into this area, a 24" culvert exists under the driveway up near the entrance of the home. This culvert is just upstream of the ravine. In addition a field tile (estimated 8" diameter) also flows into this area from the south side of Signal Hill Road. It would appear that the landscaping/plants in this area were modified and small stone was placed with the new landscaping. Since the landscaping in this area was not comprised of deep rooted vegetation that could handle these flows and the rock was very small, erosion has occurred in this area and has relocated the stone soil.

Mr. Shrake presented a storm sewer plan that involved piping at Osage Drive and Signal Hill Road to intercept flows from the east. In addition, storm sewer was shown down at 615 Signal Hill Road that was piped and routed to the north east and then north. Based on the drainage area the pipes were sized to handle a 100 year storm. The problem with the new system is that there is no emergency overflow in the event that the capacity of the storm sewer is exceeded or if the storm structures become blocked with debris or ice. In that case the water would then seek the lowest level and would enter into the garage/home at 615 Signal Hill. The estimated costs to complete this work would be approximately \$145 thousand dollars and would involve pipes as large as 24". This project would be larger than what Cuba Township Road District would typically install. Easements would be required from both property owners if the improvements were installed.

Attorney J.W. Braithwaite noted that typically the expense (\$145 thousand dollars) would be handled by establishing a special service area where the two property owners, if agreed upon, would share the expense over a period of years. Attorney Braithwaite additionally responded to legal concerns discussed among the Board following the presentation.

President Sauer concluded by stating that the only viable solution, in regards to Village involvement, is to establish a special service area. President Sauer further noted that a meeting will be coordinated with the property owners of 610 and 615 Signal Hill Road to present the information as discussed.

B. 2008 Village Road Program

The proposed 2008 Village Road Program was submitted to the Board by Michael Shrake, P.E., Gewalt Hamilton Associates, Inc (Gewalt). A map was submitted, in addition to the proposal, highlighting the recommended streets for repair. Trustee Kolar and Cuba Township Highway Commissioner Tom Gooch assisted Mr. Shrake with organizing the list of road improvements.

Mr. Shrake outlined the proposed 2008 Village Road Program and noted that the 2007 Village Road Program was originally developed to rehabilitate and maintain Village roads based over a 10 year regimen. The 2008 Road Program is reflective of the 2007 Road Program and includes the following costs:

- 5% Annual Inflation Rate
- Construction
- 10% Engineering
- 7% Contingency

The total for the proposed 2008 Road Program, in the amount of \$579,966.66, did not include culvert repairs. Mr. Shrake stated that Gewalt prepared a detailed list of culvert repairs for 2008, estimated in the amount of \$30,000.00 however, the list was not included in the materials presented to the Board. Mr. Shrake noted that he is hopeful that the amount reserved for the contingency costs would be able to be used toward some of the culvert repairs.

Mr. Shrake encouraged the Board to review the proposed 2008 Road Program with the possibility of passing a resolution in February approving the use of Motor Fuel Tax Funds.

Trustee Kolar requested that Mr. Shrake provide him with a copy of the proposed list for 2008 culvert repairs. Mr. Shrake stated he would provide a copy to President Sauer and Trustee Kolar.

President Sauer thanked Mr. Shrake for his presentations.

X. OLD BUSINESS

There was no old business to discuss.

XI. ADJOURNMENT

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

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

These Minutes were approved by the Board at a meeting held February 27, 2008.

Attest: _____
Kris Lennon, Deputy Village Clerk