

MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD MONDAY,
SEPTEMBER 27, 2004 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD

I. Call to Order and Roll Call

At 7:30 p.m. Acting President Parker called the Meeting to order. The Village Clerk led the Pledge of Allegiance, and then called the roll:

Present: Acting President Parker, Trustees Bartlett, Mazeski, Peterson and Sauer

Absent: Trustee Forman

Also Present: Judy Janus, Village Administrator

J. William Braithwaite, Village Attorney

Andrea Pracht, Baxter & Woodman

Bobbie Svacha, Village Treasurer

T. Pattison, 182 Kimberly Road

Chuck Jacobs, 571 Chateaux Bourne, Barrington

Claire Pescheret, 119 Old Oak Drive

David Adolphson, 483 E. Oxford Road

Frank Mattioli, 424 Mockingbird Lane

II. Public Comment

There was no one in the audience who wished to speak.

III: Consent Agenda

Motion: On motion of Trustee Peterson, seconded by Trustee Sauer, the following agenda items were unanimously approved by a single omnibus vote:

- A. Approve Minutes of Board Meeting 8/23/04
- B. Approve the September 27, 2004 Vouchers for payment of bills
- C. Approve the Treasurer's Report for the 4th month of Fiscal Year 2005
- D. Adopt Resolution #2341 authorizing the adoption of the NIMS
- E. Adopt Ordinance #1047 Tax Levy
- F. Adopt Resolution #2342 appointing Tax Levy Road and Bridge

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Bartlett, Mazeski, Sauer and Peterson, Acting President
Parker

Nays: None

Absent: Trustee Forman
Abstain: None

Acting President Parker declared the motion approved.

IV. COMMISSION AND STAFF REPORTS

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

A. Building Department Report (Kelly Rafferty - Rafferty Architects)

The Building and Zoning Department Activity Report was made available to the Board.

B. Building Inspection Report (Ray Donini)

The Building Inspection Report was made available to the Board.

C. Building Inspection Report (B&F Technical Code Services, Inc.)

The Building Inspection Report was made available to the Board.

D. Engineering Project Status Report (Al Stefan - Baxter & Woodman)

The Engineering Project Status Report was made available to the Board.

E. Health & Sanitation Report (Natalie Karney - Land Technology)

The Health & Sanitation Monthly Report was made available to the Board.

F. Plan Commission Meeting Minutes (September 2004)

The Minutes of the Meeting were made available to the Board.

G. Parks & Recreation Commission Minutes (September 2004)

The Minutes of the Meeting were made available to the Board.

H. Staff Meeting Minutes (September 2004)

The Minutes of the Meeting were made available to the Board.

VI. ADMINISTRATION

A. Barrington/North Barrington Intergovernmental Agreement (tabled)

Acting President Parker said that the topic would remain tabled.

B. Ordinance # ____ Lease Agreement – Biltmore Country Club (tabled)

Acting President Parker said that the topic would remain tabled.

C. State Mandate Affordable Housing - Update

Acting President Parker explained that he with the Village Attorneys had attended an information meeting about the Illinois Affordable housing Planning and Appeal Act. He explained that a sub-committee of the Board was formed including Trustees Sauer, Bartlett, and himself. He noted that he had asked Building and Zoning Officer Kelly Rafferty to compile a list of vacant, buildable properties within the Village. He said that he had also asked Village Engineer Al Stefan to prepare a list of vacant, buildable land in the Village's jurisdictional boundary area in order to try to develop a plan by April of 2005 outlining how 10% of the village housing could eventually meet the designation as affordable housing.

D. Waste Management Contract Price Increase

Acting President Parker referred to a memo from Andrew Quigley, Executive Director of SWALCO, explaining the Waste Management rate increase request. The memo explains that Waste Management is entitled to an annual rate increase under the contract which was effective as of September 1, 2002. It was noted that Waste Management had not requested an annual adjustment under the current contract, and the rate increase was based upon two factors in the contract: the Consumer Price Index and current Countryside Landfill fees. The memo recommends that the Village award a fee increase to Waste Management of 3.0%, with a total increase per household of \$0.36 per month. There was some discussion.

Trustee Bartlett suggested that the Village not change its leaf burning law, unless other programs for pick up are initiated. It was noted that leaf and landscape pick up is offered by Waste Management for an additional fee.

Motion: Trustee Sauer moved to approve the recommendation from SWALCO to award a fee increase to Waste Management of 3.0%, which raises the fee for refuse and recycling collections services from \$11.89 to \$12.25 per month, or \$0.36 per household; seconded by Trustee Peterson.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Bartlett, Mazeski, Sauer and Peterson, Acting President

Parker
Nays: None
Absent: Trustee Forman
Abstain: None

Acting President Parker declared the motion approved.

E. East Oxford Nature Trail

Acting President Parker explained the current problems with the East Oxford portion of the Village's nature trail which runs through Leonard Park. Acting President Parker drew a diagram of the cul-de-sac at the end of East Oxford Road which included the beginning of the nature trail, the Village's road easements and right of ways, as well as the portion of the road used for ingress/egress to the property at 483 E. Oxford Road. Acting President Parker explained that the homeowner at 483 E. Oxford Road, Mr. Adolphson, had installed a split rail fence on Village owned property due to the configuration of his driveway. Mr. Adolphson had fenced off the area for safety reasons because there are blind spots when he attempts to back out of his driveway. Acting President Parker explained that the fence had come to the attention of the Village when maintenance vehicles could not access the nature trail.

Acting President Parker also explained the numerous drains and culverts in the area used to drain water from East Oxford Road. Due to the location of the fence, pedestrian and or vehicle access is forced towards two open culverts serving as drains from East Oxford Road. Acting President Parker explained that he, with the Village Engineer Al Stefan, had worked out an amicable solution for this area, to address safety and drainage issues. This included extending the two 12" cement culverts away from the trail area, to move a portion of the existing split rail fence, install an additional fence parallel to the re-positioned fence, and delineate the path of the nature trail. An estimate from Baxter and Woodman for the work totaled approximately \$4100. Acting President Parker explained that the Parks and Recreation Commission agreed to use money from their budget for the expenditure.

Motion: Trustee Peterson moved to approve the expenditure of not to exceed \$4100 from the Parks and Recreation Commission budget to complete the work at the portion of the nature trail on East Oxford Road as outlined in the memo prepared by Baxter and Woodman and dated 9/22/04; seconded by Trustee Bartlett.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Bartlett, Mazeski, Sauer and Peterson, Acting President Parker
Nays: None
Absent: Trustee Forman
Abstain: None

Acting President Parker declared the motion approved.

F. Fence Ordinance Moratorium – Resolution # 2343

The Resolution was made available to the Board. Acting President Parker explained that this resolution applied to one section of the current Fence Ordinance, which stated:

“No fence shall be permitted in front yards except ornamental fences. An ornamental fence is one which is for decorative purposes and the primary function of which is not an enclosure, barrier or means of protection or confinement.”

Acting President Parker explained that the problem arises, when a homeowner wishes to install, or repair, a small picket fence in the front of the home which typically encloses either a garden or entranceway to the house and by the strict definition of the fence ordinance, the fence is classified as an enclosure. He explained that the moratorium on the enforcement of the Ordinance would apply to fences or proposed fences in front yards which are ornamental and do not enclose an area greater than ten per cent of the total land area of the property on which the fence is located or proposed. Acting President Parker explained that this moratorium would reduce the number of smaller fence issues that would have to be heard by the Zoning Board of Appeals. There were many questions from the Board and lengthy discussion. The Resolution was amended to show that the moratorium would be in place until April 1, 2005.

Trustee Bartlett said that she felt the moratorium issue should have been sent to the Plan Commission as they are currently re-working the Fence Ordinance.

Motion: Trustee Peterson moved to approve Resolution #2343 as amended; seconded by Trustee Sauer.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Mazeski, Sauer and Peterson, Acting President Parker
	Nays:	Trustee Bartlett
	Absent:	Trustee Forman
	Abstain:	None

Acting President Parker declared the motion approved.

VIII. Reports by Board of Trustees

A. Trustee Sidney Bartlett

Trustee Bartlett reported that the Plan Commission was still working on a tear down ordinance for the Village, as well as reviewing the Fence Ordinance.

B. Trustee Kimberly Forman

Trustee Forman was absent.

Acting President Parker explained that the Lake Zurich Rural Fire Protection District was asking for a tax increase at the November election. He explained that the Lake Zurich District covered the Village south of Miller Road while the Wauconda District covered the portion north of Miller Road. He explained that the District was asking the Village to take a stand on the issue and send out a letter supporting the tax increase. The Board concurred that it was not the position of the Village Board to take a stand on the issue.

C. Trustee Kelly Mazeski

Trustee Mazeski encouraged all residents to attend the Parks and Recreation Commission's Fall Festival on Sunday, October 3, 2004, from 1 to 3 p.m.

D. Trustee Dave Peterson

Trustee Peterson reported that the Environmental Commission was still reviewing the Flint Creek proposal as submitted by Ted Gray and Associates. Topics include forming a jurisdictional committee to manage at Flint Creek, as well as the closing of Woodland Drive at the site of the creek. Village Attorney J.W. Braithwaite suggested that when the Commission reaches a conclusion, that a recommendation be prepared and presented to the Board and Village Staff for review.

E. Trustee Bruce Sauer

Trustee Sauer explained that the road repair work in the Village was moving along, although there had been some setbacks with material availability and communication with the contractor, Chicagoland Paving. He explained that some areas were found to require less work, and some would require expanded work that had not been originally anticipated. Trustee Sauer explained that the program would not be completed on time, and the contractor would incur fines until the project was completed. There was further discussion about additional work to be completed as well as shoulder uniformity in the Biltmore area.

Trustee Sauer reminded the Board that they had accepted in principle the proposal from Cuba Township for road services in the Village subject to preparation and approval of a formal contract. He explained that Village Attorney J.W. Braithwaite had prepared the contract, and he was submitting it to the Board for approval. There were some minor changes made to the contract, including hand shoveling at the Village Hall, and there were still some "blanks" with regard landscape maintenance service long Hewes Drive and along Honey Lake that needed to be completed. The Contract with Cuba Township would begin on November 1, 2004. There was lengthy discussion. There was also some discussion about how to notify residents of future

brush pick up service.

Motion: Trustee Sauer moved to approve the contract between the Township of Cuba Highway District and the Village of North Barrington, subject to the Trustee Sauer having the authority to fill in the "blanks" in Section "H", items "e" and "g"; seconded by Trustee Peterson.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Bartlett, Mazeski, Sauer and Peterson, Acting President Parker
	Nays:	None
	Absent:	Trustee Forman
	Abstain:	None

Acting President Parker declared the motion approved.

VIII. CLOSED SESSION.

There was no closed session.

IX. OLD BUSINESS

There was no old business to discuss.

X. NEW BUSINESS

There was no new business to discuss.

XI. ADJOURNMENT

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

The voice vote was unanimous in favor.

At 9:20 p.m. Acting President Parker declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held October 25, 2004.

Attest: _____

Kathy Nelander, Village Clerk

9/27/04 - Page 7 of 7

