

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,  
SEPTEMBER 30, 2009 AT THE NORTH BARRINGTON VILLAGE HALL,  
111 OLD BARRINGTON ROAD**

**I. Call to Order and Roll Call**

At 7:32 p.m. President Sauer called the Meeting to order following a public hearing. The Deputy Village Clerk led the pledge of Allegiance, and then called the roll:

Present in Person: President Sauer, Trustees Boland, Das Gupta, Koertner, Kolar, Pino and Weiner (arriving at 7:37 p.m.)

Absent: None

Also Present: J.W. Braithwaite, Village Attorney  
Natalie Karney, Village Health Officer  
Kelly Rafferty, Village Building and Zoning Officer  
Susan Allman, Village Forester  
Kris Lennon, Deputy Village Clerk  
Brian and Cameron Thomson, 580 Crooked Lane  
Jerome Callaghan, 211 South Rand Road, Lake Zurich  
Ed Harris, Lake County Sherriff's Department,  
1301 N. Milwaukee, Libertyville  
Jackie Andrew, 610 Signal Hill Road  
R.W. Haas, 619 Miller Road  
David McArdle, 4052 East Main Street, St Charles  
James Doherty, 1424 Cabot Lane, Schaumburg  
Thomas E. Rosensteel, 555 South Randall Road, St. Charles

**II. PUBLIC COMMENT**

President Sauer explained that Mr. Jerome Callaghan previously applied for and received a solicitor's permit from the Village in 2006 and 2008. Mr. Callaghan requested renewal of his solicitor's permit as a Financial Advisor for Edward Jones by submittal of an application and registration fee. It was noted that the Village has not received any complaints about Mr. Callaghan. A Record Search was conducted with the Lake County Clerk of the Circuit Court for the years of 1/03/1983 thru 9/28/2009; no records were found.

Jerome Callaghan, 211 South Rand Road, Lake Zurich, introduced himself to the Board and briefly explained his request. Village Attorney J.W. Braithwaite explained that the Village could not take action during the meeting as the matter was not placed on the September agenda. President Sauer unofficially asked the Board if there were any objections to Mr. Callaghan's application. There were no objections from the Board.

It was noted that the matter would be placed on the October Board agenda.

### III. CONSENT AGENDA

Motion: Trustee Boland moved approval of the consent agenda consisting of the following agenda items; seconded by Trustee Koertner:

- A. **Approve Minutes of Village Board Meeting – 8/26/09**
- B. **Approve Minutes of Special Board Meeting, Public Hearing – 7/15/09**
- C. **Approve 9/30/09 Vouchers for payment of bills**
- D. **Approve the Treasurer’s Report for the 4th month of Fiscal Year 2010**
- E. **Approve Resolution #2538 appointing Bruce Kramper as Environmental & Health Commission Chairman (filling the unexpired term of Gery Herrmann ending 6/30/12)**
- F. **Approve Resolution # 2539 appointing Rob W. Haas as Environmental & Health Commission member (filling the unexpired term of Peter Wesley ending 7/31/10)**
- G. **Approve a Proclamation Partnering with the U.S. Census to Help Ensure a Full and Accurate Count in 2010**
- H. **Approve Resolution #2540 authorizing the Village President to direct Wells Fargo Bank, as trustee, to make future payments as expenses are incurred and documented from bond proceeds relative to Special Service Area No. 17 without advance Board approval.**

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

### IV. RECOGNITION

- A. Cameron Thomson, East Oxford Nature Trail Eagle Scout Project

President Sauer recognized Cameron Thomson for his efforts with the East Oxford Nature Trail Project. Mr. Thomson has been working on the rank of Eagle Scout with the Boy Scouts. The project included the construction of 2 boardwalks between East Oxford and Shady Lane. President Sauer invited Mr. Thomson to address the Board.

Cameron Thomson, 580 Crooked Lane, addressed the Board and thanked the Village for permitting as well as funding the materials for the project. He especially thanked Village Administrator Kathy Nelander for assisting him with maps and additional information.

**V. ORDINANCES/RESOLUTIONS/LEASE AGREEMENTS/CODE AMENDMENTS**

- A. Consideration of an Ordinance # 1165 amending the Zoning Ordinance of the Village to create a Premier Equestrian Estate District

Village Attorney J.W. Braithwaite explained that the Village obtained the final documentation required in order to proceed with the Annexation.

President Sauer asked the Board if there were any comments. No one from the Board wished to speak.

Motion: Trustee Koertner moved to adopt Ordinance # 1165; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

- B. Consideration of an Ordinance # 1166 approving Annexation Agreement, Old Barrington Farm Subdivision and Equestrian Center Property and the Walsh Property

Trustee Boland had a few questions regarding the Annexation Agreement which were addressed by Village Attorney J.W. Braithwaite.

Motion: Trustee Boland moved to adopt Ordinance # 1166; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

- C. Consideration of an Ordinance # 1167 annexing Old Barrington Farm Subdivision and

Equestrian Center Property and the Walsh property

Motion: Trustee Boland moved to adopt Ordinance # 1167; seconded by Trustee Koertner.

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

- D. Consideration of an Ordinance # 1168 rezoning the Old Barrington Road Subdivision and Equestrian Center property and the Walsh property to Premier Equestrian Estate District

Trustee Kolar inquired about the number of horses allowed per acre/per individual lot. Village Attorney J.W. Braithwaite explained that zoning regulations differ according to lot size.

Motion: Trustee Kolar moved to adopt Ordinance # 1168; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

- E. Consideration of a Resolution # 2541 approving Final Plat of Subdivision, "Old Barrington Farm Subdivision"

Motion: Trustee Boland moved to approve Resolution # 2541; seconded by Trustee Weiner.

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

President Sauer congratulated the owners and their representatives on the annexation of the Old Barrington Farm property into the Village of North Barrington.

- F. Consideration of Ordinance # \_\_\_\_\_, Heritage Tree Ordinance - Ordinance establishing regulations controlling the removal of and the preservation of Heritage Trees within the Village

The proposed Heritage Tree Ordinance was made available to the Board in their packet materials.

There was discussion among the Board about properly informing area residents and appropriate parties of the Ordinance subsequent to its passage.

Further discussion followed among the Board about whether the Village Board or the Environmental & Health (E&H) Commission would hear appeals following the decision of the Village Forester. Village Attorney J.W. Braithwaite noted that the E&H Commission currently has the right of final determination in specified areas.

Motion: Trustee Boland moved that the Board recommended approval for the Environmental & Health Commission to hear appeals following the decision of the Village Forester relevant to the Heritage Tree Ordinance; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

Village Forester Susan Allman addressed the Board and submitted updated revisions to Sections 5-3D-8 “D” and “E” within the proposed Ordinance. Discussion followed among the Board.

Trustee Pino noted that the language submitted created inconsistencies within the proposed ordinance.

Trustee Das Gupta recommended that the language within Section 5-3D-1 Purpose and Intent be revised to reflect “This Article is adopted for the purpose of preserving the many Village Heritage Trees within the Village of North Barrington...”

Trustee Kolar stated that he would like to see the proposed ordinance upon completion of its final revisions.

Village Attorney J.W. Braithwaite recommended that the language within the proposed ordinance be finalized prior to its adoption.

President Sauer recommended that Trustees Boland and Pino review the language within Sections 5-3D-8 “D” and “E” and submit their revisions to the Village Forester.

Motion: Trustee Boland moved that the existing moratorium to be extended through 10/31/09 on cutting down or otherwise removing any live tree with a trunk diameter of twenty (20) inches or greater at breast height in order to allow the Village to consider an ordinance regulating removal of such trees; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

Trustee Weiner noted his concern regarding the requirement of cash bonds greater than \$2,000.00 as it may be a deterrent for some residents.

Motion: Trustee Boland moved to table the establishment of a Heritage Tree Ordinance; seconded by Trustee Weiner.

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the matter tabled.

G. (Tabled at last meeting) Consideration of Ordinance #1169 Prohibiting Video Poker in North Barrington

President Sauer explained that the matter was previously tabled at the August Board meeting.

Motion: Trustee Koertner moved to remove from the table consideration of Ordinance # 1169, Prohibiting Video Poker in North Barrington; seconded by Trustee Kolar:

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 the Wynstone Golf Club and Biltmore County Club would not allow poker machines in their clubs and were supportive of the proposed Ordinance.

Motion: Trustee Boland moved to adopt Ordinance # 1169; seconded by Trustee Weiner:

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

**VI. 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 (Baxter & Woodman)**
- D. Health & Sanitation Report (Natalie Karney – Land Technology)**
- E. Parks & Recreation Commission Meeting Minutes (9/14/09)**
- F. Environmental & Health Commission Meeting Minutes (9/1/09)**
- G. Tallgrass Restoration – Progress Report**

**VII. ADMINISTRATION – President Bruce Sauer**

- A. Village Hall Repair – Furnace

President Sauer requested that Village Administrator Kathy Nelander address the Board to explain the matter.

Village Administrator Nelander explained that this year's fall inspection found that the unit servicing the lower level has cracks in the heat exchanger causing the release of carbon monoxide gas; these cracks must be repaired before the unit can be used for heating. The Village has had a long standing business relationship with Ahrens & Condill, Inc. of Barrington since 1993. The upper level unit was replaced by Ahrens & Condill, Inc. in 2008. Two proposals were submitted

to the Village by Ahrens & Condill, Inc. The first proposal was in the amount of \$3,820.00 to repair the unit. The second proposal was in the amount of \$13,890.00 for replacement of the unit.

Brief discussion followed among the Board about replacement of the lower level unit.

Motion: Trustee Weiner moved that the Board approve an expenditure of not to exceed \$14,000.00 for a heating and air conditioning unit servicing the lower level of the Village Hall with bids being waived; seconded by Trustee Boland:

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

- B. Disbursement Request SSA#17: Wynstone POA Reimbursement \$196,164.90, Baxter & Woodman Invoice #0145643, \$8000.00

Village Administrator Kathy Nelander explained that the Wynstone Property Owners Association (POA) Reimbursement relevant to Special Service Area #17 in the amount of \$196,164.90 was incorrect and that the correct amount is \$196,165.14. The invoice will be paid as now authorized by Resolution # 2540. It was noted that the Baxter & Woodman Invoice # 0145643 in the amount of \$8,000.00 was removed from the agenda.

Village Attorney J.W. Braithwaite noted that the invoices do not get approved by the Wynstone POA but are submitted to the Wynstone POA for their information. Resolution #2540 authorizes the Village President or Trustee Pino to direct Wells Fargo Bank, N.A., as trustee of SSA # 17 to make payments without advance approval by the Village Board provided that all expenditures are reported to the Village Board and listed on the list of bills or voucher at the subsequent Village Board meeting.

- C. Wynstone Pumping Station, Force Main and Sanitary Sewer Update

President Sauer explained that the construction and installation of the pump station/force main has begun. The project is scheduled for completion by the end of December 2009.

## **VIII. REPORTS BY BOARD OF TRUSTEES**

- A. Trustee Edmund "Pete" Boland

Trustee Boland reported that the Village received the Contracted Community Policing Services Manual for North Barrington from the Lake County Sheriff's office. There are several manuals available for viewing at the Village Hall.

**B. Trustee Ginger Das Gupta**

1. 50<sup>th</sup> Anniversary/Fall Festival Update

Trustee Das Gupta reported that the Village will be holding its Fall Festival/50<sup>th</sup> Anniversary Celebration on October 4<sup>th</sup> from 1:00 – 4:00 p.m. and encouraged everyone to attend. Trustee Das Gupta noted that she's been working on a display that includes historical memorabilia.

Trustee Das Gupta reported that the Parks & Recreation (P&R) Commission will not be displaying the proposed pavilion project at Eton Park during the Fall Festival as previously discussed; the project has been postponed until further determination.

President Sauer stated that he would unfortunately be out of town on business for the Fall Festival.

**C. Trustee Camille Koertner**

Trustee Koertner reported that she attended the Solid Waste Agency of Lake County (SWALCO) meeting in August. The proposed Fiscal Year 2009-2010 Budget was discussed as well as food scrap composting. Trustee Koertner reported that contract negotiations continue among the SWALCO Board of Directors and its hauler Waste Management.

Trustee Koertner reported that she attended the Flint Creek Watershed Partnership meeting in September. A Fall Festival was held September 19<sup>th</sup> and celebrated "It's Our River Day" at Langendorf Park.

1. Tallgrass Proposal – Eton Park

Trustee Koertner reported that a 2009-2010 Site Preparation proposal was submitted to the Village in the amount of \$65,500.00 from Tallgrass (Tallgrass) Restoration, LLC to start clearing Village property near Eton Park and Flint Creek. It was noted that the proposal did not include costs associated with stewardship required for ten acres previously cleared this year; a separate proposal would be submitted for the stewardship. Trustee Koertner explained that Tim Moritz of Tallgrass would be available to answer questions regarding the proposal at the October Board meeting.

President Sauer stated that he would like Mr. Moritz to attend the October Board meeting and provide an outline of the proposal to the Board prior to the meeting.

Trustee Das Gupta made the recommendation of soliciting alternative bids. Discussion followed among the Board about obtaining alternative bids; achieving consistency was noted as a concern. It was determined among the Board that Trustee Koertner would ask Nancy Schumm-Burgess of Barrington Area Conservation Trust to obtain additional bids.

**D. Trustee Mark Kolar**

Trustee Kolar had nothing to report.

**E. Trustee Al Pino**

1. Road Program Update

Trustee Pino reported that Chicagoland Paving continues to work on Village roads. Arrowhead Road was paved and resurfaced. Honey Lake Road, north of Highway 22, was patched. Concrete curbs and gutters were installed on Signal Hill Road, west of Route 59.

Trustee Pino noted that there are two outstanding resident issues located at 450 Signal Hill Road and 301 Rustic Drive currently under review.

**F. Trustee Lawrence “Lawre” Weiner**

Trustee Weiner had nothing to report.

**IX. CLOSED SESSION**

There was no closed session.

**X. NEW BUSINESS**

There was no new business to discuss.

**XI. OLD BUSINESS**

There was no new business to discuss.

**XII. ADJOURNMENT**

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

At 8:50 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held October 28, 2009.

Attest: \_\_\_\_\_  
Kris Lennon, Deputy Village Clerk