

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,  
AUGUST 22, 2007 AT THE NORTH BARRINGTON VILLAGE HALL,  
111 OLD BARRINGTON ROAD**

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

At 7:40 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, and Pino.

Absent: Trustees Contorno and Weiner

Also Present: Kathy Nelander, Village Administrator

J.W. Braithwaite, Village Attorney

Roberta A. Svacha, Village Treasurer

Kris Lennon, Deputy Village Clerk

Warren Nass, 107 Mohawk Drive

Jerry Powell, 230 Crooked Lane

Tim Kane, Chicago Tribune

Julie Zuidema, 55 Huntcliff Court, Fox River Grove

Mr. & Mrs. Jim Moran, 415 Brook Forest Lane

Meredith Tucker, 498 Inverway Road, Inverness

Jackie Andrew, 160 Signal Hill Road

Bruce Kramper, 178 Pheasant Run Trail

Tony A. Solano, Barrington Courier

Tom Klein, 12 Executive Court, S. Barrington

Mr. & Mrs. Jeremy Mates, 294 N. Highway 59,

Karen & Cameron Thomson, 580 Crooked Lane

Ron Gagnier, 245 Honey Lake Court

Ed Harris, Lake County Sherriff's Department

Mr. & Mrs. Fred Minchk, 130 Scott Drive

Joe Arizzi, Wauconda Fire Department

Don Husted, 422 Kimberly Road

Mr. & Mrs. Manfred Schwan, 421 Brook Forest Lane

Carolyn Boyle, 425 Kimberly

Mr. Roelof Boonstra and Dr. Jennifer Boonstra, 71 N. Saddle Tree

Brent Johnson, 255 Honey Lake Court

Pat Setlik, 432 Brook Circle

Edith Auchter, President, Citizens for Conservation

**II. Public Comment**

Don Husted, 422 Kimberly Road, stated that he wished to speak on the topic of the Village's approved Connect-CTY, Rapid Call Program. Mr. Husted stated that when the plan was

approved, he conveyed to the Village that he wanted to opt out of the emergency plan and was told that he could not do so. Mr. Husted additionally stated that he has concerns about Connect-CTY being used for purposes other than emergency reasons. Mr. Husted stated his definition of emergency differs from the Village's definition.

President Sauer stated that the Board approved Connect-CTY to be used for emergency purposes only.

### **III. Consent Agenda**

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

- A. Approve Minutes of Board Meeting – 7/25/07**
- B. Approve the 8/22/07 Vouchers for payment of bills**
- C. Approve the Treasurer's Report for the 3<sup>rd</sup> month of Fiscal Year 2008**

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

### **IV. AMENDMENTS / VARIATIONS**

- A. Ordinance # 1121 Zoning Variation, Powell, 230 Crooked Lane**

The Ordinance had been made available to the Board in their packet materials. President Sauer explained the variance to the code requested by Mr. & Mrs. William Powell.

**ZR-10-6-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet, a width of 115 feet at the front lot line and an average width of at least 130 feet.**

The subject property has a lot area of approximately 31,785 square feet, a lot width of 100 feet at the front lot line and an average width of approximately 100 feet. As such, the subject property is non-conforming.

**ZR-10-1-2(B) and**

**ZR-10-4-2(A1b): A non-conforming building or use shall not be expanded.**

The subject property is non-conforming on account of lot area and lot width.

**ZR-10-9-2(B): From each side line the setback shall not be less than ten percent (10%) of the average width of the lot or ten feet (10'), whichever is greater.**

The subject property has an average lot width of approximately 100 feet therefore the required side setback shall be 10 feet. The proposed wood deck will be located approximately 1 foot from the side lot line, representing a side setback encroachment of approximately 9 feet.

President Sauer stated that the Board tabled the matter at the Village Board meeting in July.

Motion: Trustee Boland moved to take from the table the matter of the variance request submitted by Mr. & Mrs. Powell, 230 Crooked Lane; seconded by Trustee Kolar.

Discussion: There was no discussion.

Vote on Motion

The voice vote was unanimous in favor.

President Sauer explained that Village Attorney Nancy Harbottle recommended at the previous Board meeting that the ordinance needed specific conditions which distinguished 234 Crooked Lane from any other property within the Village. Attorney Harbottle also recommended that an exhibit be submitted that specifically shows that there is no impact to the surrounding properties due to the configuration of the property.

President Sauer stated that he thought the revised ordinance was worded so that it could not be duplicated or used as a precedent.

Motion: Trustee Boland moved to adopt Ordinance # 1121; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Farrell, Kolar, and Pino.

Nays: None

Absent: Trustees Contorno and Weiner

Abstain: None

President Sauer declared the motion approved.

**B. Ordinance # \_\_\_\_\_ Variation from Village Code, Mr. & Mrs. Ben Andrew, 610 Signal Hill Road**

The Zoning Board of Appeals (ZBA) on August 14, 2007 recommended denial of Mr. & Mrs. Andrew's variation request. According to the Village Code, a decision by the ZBA to grant such

variation shall be final and the petitioner may file an appeal to the corporate authorities within sixty (60) days after such denial. The petitioner filed such an appeal on August 15, 2007.

Information regarding the variation had been made available to the Board in their packet materials. President Sauer explained the variance to the fence provisions of the code requested by Mr. & Mrs. Andrew.

Warren Nass, Chairman of the Zoning Board of Appeals (ZBA) explained that the Zoning Ordinance is specific about the requirements for pools. Even though the Andrews pool is located behind the house, Chairman Nass walked down the driveway and around to the back of the house to the pool with no problem; he further explained that if he could walk down to the pool, a child could walk down just as easily. Chairman Nass stated that safety is an issue and no particular hardship was presented.

Jackie Andrew, 610 Signal Hill Lane, addressed the Board. Ms. Andrew stated that she lives on a five (5) acre parcel. The closest house is about 300 feet away and that the house is about three (3) fences away due to a dog run. There are three (3) adjacent houses approximately 600 feet away which cannot be seen due to the dense forest. There are dense bushes and trees that border three sides of the property that protect the pool area. The pool cannot be seen from the road or the adjacent properties. It is naturally protected on one side by a 12 foot ravine. The pool was designed as an integral part of the property. Ms. Andrew stated she has a problem with the number of ponds located within the Village that do not require fences that may entice children. She feels that her property is not a threat to the community. Ms. Andrew stated that when she bought the property, the property did not have a fence.

President Sauer stated that the Village Building and Zoning Officer Kelly Rafferty submitted a 1984 building permit; the approved plan showed a 4 foot fence around the pool. The fence was never built. Ms. Andrew stated she was not aware of the permit when she purchased the house.

Trustee Farrell stated that the ordinance not only protects residents within the community, but protects the residents residing in the house as well as guests.

Ms. Andrew asked if they could place a fence and include landscaping in the section of the driveway that is open to isolate the area.

Trustee Boland suggested that Ms. Andrew contact Kelly Rafferty, Village Building and Zoning Officer for possible fence ideas.

Motion: Trustee Boland moved to deny the appeal of Mr. & Mrs. Andrew to overrule the decision of Zoning Board of Appeals; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Farrell, Kolar, and Pino.  
Nays: None

Absent: Trustees Contorno and Weiner  
Abstain: None

President Sauer declared the motion approved.

**C. Ordinance # 1122 Zoning Variation, Klein Development, Inc., 106-114 S. Wynstone Park Drive, Wynstone South Commercial**

The Ordinance had been made available to the Board in their packet materials. President Sauer explained the variance to the code requested by Klein Development, Inc.

**ZR 10-10-11: Maximum Allowable Sign Area: The following table provides acceptable guidelines for sign area based on total floor area:**

**TOTAL SIGN AREA (SQUARE FOOTAGE)  
PERMITTED IN COMMERCIAL ZONING AREAS**

<b>Total Floor Area of Building (s.f.)</b>	<b>Maximum Sign Area (s.f.)</b>	<b>Allowable Number of Signs</b>
1 – 500	8	1
501 – 1000	10	1
1,001 – 3,000	15	1
3,001 – 5,000	20	1
5,001 or higher	25	1

Each of the five (5) office buildings in this development has a total floor area of approximately 12,610 square feet. Therefore, each building is allowed one (1) sign having a maximum sign area of 25 square feet. The developer is seeking permission to install 2 freestanding directory signs in front of each building, each having a sign area of approximately 8 square feet (16 square feet total).

**ZR 10-10-9 (I, 2): No freestanding sign shall be nearer than forty feet (40') to any building,**

Each of the proposed freestanding directory signs will be located approximately 3 feet from the front entrance wall of the buildings.

President Sauer invited Mr. Tom Klein to address the Board. Mr. Klein stated that he the President of Klein Development, Inc. and that he is developing the Wynstone South Commercial project. Each building will have two main entrances. Mr. Klein is proposing two free standing directory signs to be located at each entrance of each building. The proposed signs will be directory signs in order to direct pedestrians and vehicle traffic, including emergency vehicles.

Additionally, Mr. Klein is proposing that the signs be located within 6 feet of the entrances. Mr. Klein explained that if the signs were placed 40 feet from the entrances, the signs would cross the parking lot. Mr. Klein further explained that the Fire Department requires proper identification at each entrance way in order to identify the occupants within each building.

There were a few questions from the Board about the color and design of the signs. Mr. Klein stated that the colors comply with the Village requirements and that the occupants listed on each sign are easily interchangeable.

Motion: Trustee Boland moved to adopt Ordinance # 1122; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

**D. Ordinance #1123 Environmental & Health/Zoning Variation, Mr. Jeremy Mates, 294 N. Highway 59**

The Ordinance had been made available to the Board in their packet materials. President Sauer explained the variance to the code requested by Mr. Jeremy Mates.

**ZR-10-9-2(A,1): From each road or street which is included in the primary system of roads of the state (including all state bond issue routes and all primary federal aid and state aid routes which are designated as a numbered state highway), the required front setback shall be not less than fifty feet (50') from the right of way line.**

While the proposed addition complies with the setback requirement, the garage of the existing house is located approximately 37.47 feet from the right of way line, representing an existing approximate 12.53 foot encroachment into the required front yard setback. As a result the existing residence is a non-conforming use.

**ZR-10-1-2(B) and ZR-10-4-2(A,1,b): A non-conforming building or use shall not be expanded.**

The existing residence is non-conforming due to a front yard setback encroachment.

President Sauer invited Mr. Jeremy Mates and Warren Nass, Chairman of the Zoning Board of Appeals (ZBA) Commission to address the Board.

Chairman Nass explained that that a prior ordinance was passed allowing the homeowner to erect a fence and that currently, the homeowner would like to construct an addition on the house. The existing residence is a non conforming use due to the garage of the existing house being located approximately 37.47 feet from the right-of-way, representing an existing approximate 12.53 foot encroachment into the required front yard setback. Chairman Nass stated the addition will improve the house and that the ZBA voted unanimously in favor of the variance request.

Trustee Boland asked if the septic variance was approved. President Sauer stated that the septic variance was approved at the Environmental and Health Commission meeting on August 7, 2007.

There were questions from the Board for Mr. Mates about completing the partially erected fence and planting shrubbery as approved in a prior ordinance. Mr. Mates replied that he would erect the remainder of the fence and plant shrubbery once the construction is complete.

Motion: Trustee Pino moved to adopt Ordinance # 1123; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Farrell, Kolar, and Pino.

Nays: None

Absent: Trustees Contorno and Weiner

Abstain: None

President Sauer declared the motion approved.

**E. Ordinance # \_\_\_\_\_ Zoning Variation, Mr. & Mrs. Roelof Boonstra, 71 Saddle Tree Lane**

Information regarding the variation request had been made available to the Board in their packet materials. President Sauer explained the variance to the code requested by Mr. & Mrs. Boonstra.

1. a variation from **Section 10-2-1** of the Zoning Ordinance defining "accessory structure" in order to permit a flight cage with the approximate dimensions of 40 ft by 15 ft by height of 15 ft., and

2. a variation from **Section 10-2-1** of the Zoning Ordinance defining "home occupation" to permit certain veterinarian activities supplemental to proposed flight cage and the care of injured birds of prey, and

3. a variation from **Section 10-4-4** of the Zoning Ordinance which provides that chickens, ducks, geese and similar fowl are not permitted in the Village except when raised as pets by children under the age of 18, and further, no more than 2 such fowl are permitted on an

acre of land with a total not to exceed 6 fowl to except injured birds of prey from the definition of fowl.

President Sauer stated that there were members of the audience who wished to speak on the issue and who submitted a Public Comment form to the Deputy Village Clerk. President Sauer invited the audience to address the Board. Views were expressed by:

Meredith Tucker, 498 Inverway Road, Inverness, stated that she is a member of Citizens for Conservation, made reference to the Village Zoning Ordinance; specifically, the definition of the term fowl. She recited several definitions of fowl from other sources. Her findings concluded that birds of prey should not fall under the definition of the term fowl. Ms. Tucker supports the Boonstra's and their efforts to rehabilitate wildlife.

Julie Zuidema, 55 Huntcliff Court, Fox River Grove, stated that she is a member of Citizens for Conservation. Ms. Zuidema feels that it's part of the Village's responsibility to support those who wish to participate in a natural environment. Ms. Zuidema stated that the Boonstra's have unique qualifications, it is non-for-profit, and their work contributes to the community. Ms. Zuidema asked the Board to allow the Boonstra's to carry out their important work.

Village Attorney J.W. Braithwaite asked if Citizens for Conservation had taken a position on the issue. Edith Auchter, President, Citizens for Conservation, replied that action was taken by the Citizens for Conservation Board by directing the president to send a letter to Mr. & Mrs. Boonstra's encouraging them to follow the procedures in seeking a zoning variance and supporting their wildlife efforts.

Jim Moran, 415 Brook Forest Lane, submitted a petition from a number of Brook Forest residents who are opposed to the flight cage and noted that the Grassmere Farm Homeowners Association is opposed as well. Mr. Moran stated that he brought an actual survey of his property located at 415 Brook Forest Lane and noted that the drawings submitted by the Boonstra's are not professional plans. Mr. Moran stated that the flight cage is approximately 37 yards from the top of his driveway and that he would be able to see the flight cage seven (7) months out of the year when the leaves are not on the trees. Mr. Moran also submitted Section 10-4-1 of the Village Code and requested that the Board consider the Home Occupations and Incidental Uses; specifically, the area which he resides has been zoned as a residential area. Mr. Moran feels that is it not acceptable to build a farm like structure in a residentially zoned area. He has concerns about the number of cages on the property, the noise level, and possible diseases that the birds may bring to the community.

Village Attorney J.W. Braithwaite asked if Mr. Moran was objecting to letter "g" in Section 10-4-01 C of the Village Code. Mr. Moran stated that his concerns are covered in letters "a through g" of Section 10-4-1 C of the Village Code.

Warren Nass, 107 Mohawk Drive, Chairman of the Zoning Board of Appeals (ZBA), stated that the ZBA reached a split decision at the August 14, 2007 Commission meeting. There were three



(3) members who were in favor and three (3) members who were opposed to the variance request. Accordingly, this constituted a negative recommendation. Mr. Nass' concerns range from the Village being able to actually regulate the size of the cage to the number of residents who are opposed to the variance, including the Grassmere Farms Homeowners Association.

Patricia Setlik, 432 Brook Circle, stated that she lives in Brook Forest and that it's not a question of whether she likes birds or animals, but that it's more of a zoning matter. Ms. Setlik stated that she feels there are much better locations that would accommodate a flight cage. She is opposed to the variance request.

Kathy Moran, 415 Brook Forest Lane, stated that the flight cage is approximately 110 to 116 feet from her driveway. She can see the structure from her driveway as well as her bedroom window. Her concerns included: the bright lights which come from the Boonstra's back yard, early morning noise, the number of birds and cages that will occupy the property, food for the birds, the disposal of waste, and the safety of residents as well as animals within the community. She is opposed to the variance request and feels that the flight cage should be on a farm and not an upscale residential area.

Mr. Roelof and Dr. Jennifer Boonstra, 71 N. Saddle Tree Lane, submitted a Whispering Oaks Wildlife presentation to the Board. Mr. Boonstra explained that they have been wildlife rehabilitators for over 10 years. They have been working out of N. Barrington for 8 years. They currently specialize in birds of prey including falcons, owls and hawks. They have worked with many municipalities including police and fire departments. Dr. Boonstra is a licensed veterinarian and Mr. Boonstra has completed internships and assists Dr. Boonstra. Mr. Boonstra explained that only veterinary doctors who are associated with wildlife rehabilitators may work on injured wildlife. Information that Mr. and Dr. Boonstra covered included:

- Birds of prey are in need of highly specialized care.
- Resource facilities that rehabilitate wildlife to the public are closing due to budget restraints.
- A flight cage will assist in reconditioning and determining a bird's flight capabilities.
- Birds are released in the location of which they are found.
- Time limits are set by rehabilitation laws.
- The Boonstra's home address will not be published.

Mr. Boonstra stated that they would be willing to move the flight cage to a different location in their yard.

Trustee Pino asked Mr. Boonstra if they wanted to amend the petition to include moving the flight cage to a different location in their yard. Mr. and Dr. Boonstra agreed that they would move the flight cage to a different location.

Dr. Boonstra stated that there is a double entry system into the flight cage which prevents the birds from escaping.

President Sauer asked how many birds of prey would be treated at one time. Dr. Boonstra stated that the flight cage can only house two birds of prey at one time. The maximum amount of birds that the Boonstra's would treat at one time would be three to four birds; two birds of prey and possibly other species if contacted for an emergency.

Trustee Pino asked if the Boonstra's would limit the petition to treating two birds of prey at one time. Mr. and Dr. Boonstra agreed that that would only treat two birds of prey at one time. Dr. Boonstra added that the law dictates that they can only treat birds of prey for a certain amount of time, approximately 60 days; then they are transferred to another facility, released or euthanized.

Mr. and Dr. Boonstra added that they are restricting their rehabilitation to birds of prey. All mammal cages on their property have been taken down.

There were questions from the Board about Northerly Island, a bird hospital in Chicago. Dr. Boonstra stated that Northerly Island treats birds in Chicago that may run into city buildings. If the birds require longer care, they are sent to the Flint Creek Wildlife Rehabilitation in Barrington, IL. It was noted that the Flint Creek Wildlife Rehabilitation can treat more than two birds at one time.

There were questions from the Board about the submitted drawings of the proposed flight cage and if the Boonstra's have proof that they've been approved by the Illinois Department of Natural Resources (IDNR). Mr. Boonstra replied that the drawings are based on the standards of the Illinois Wildlife Rehabilitation Council and the University of Minnesota's Raptor Center. Mr. Boonstra replied that the IDNR pre-approved the cage.

President Sauer asked about the medical capacity at the site including medical procedures, anesthesia, and surgical materials. Dr. Boonstra replied that any orthopedic surgery would be performed at the veterinarian hospital that she works at. Mr. Boonstra stated that they have some medical equipment and supplies including equipment for blood testing and anesthesia. Mr. Boonstra replied that the drugs are locked up in a safe according to federal regulations.

Trustee Pino asked if anyone from the IDNR has been out to inspect their home. Mr. Boonstra replied that a Wildlife Conservation officer who works with the INDR inspected their home.

Trustee Pino had concerns about possible diseases the birds may carry, including, Avian Flu, Rabies, West Nile Virus, and Methicillin-resistant Staphylococcus aureus (MRSA). Trustee Pino asked how the Boonstra's would detect such diseases. Mr. Boonstra stated that he would contact Dr. Boonstra upon receiving a bird and either take it to the veterinary hospital or wait upon Dr. Boonstra's return from work, and then perform the appropriate diagnostics.

Trustee Farrell asked how the Boonstra's dispose of dead birds. Mr. Boonstra replied that the expired birds are frozen in a separate freezer which they own and a special service cremates the birds.

Trustee Farrell noted that while she appreciates the Boonstra's efforts, they must have known that the area was zoned as a residential area when they purchased the property. Trustee Farrell stated that the Boonstra's basically have broken the laws of the Village by having 41 raccoons at their house.

Trustee Kolar stated that it is not the noble efforts of Mr. and Dr. Boonstra, but that it is the location of where they are trying to do their work.

Trustee Pino mentioned that the Village donates to charitable causes, and if Mr. & Mrs. Boonstra should move their project, the Village would be interested in helping them.

Mr. Boonstra stated that he has considered moving the project cage to a different location and/or working with a park district. Dr. Boonstra added that when they had 41 raccoons on their property, they were taking in orphaned wildlife; since then, she decided there was a need to rehabilitate injured birds of prey.

President Sauer thanked the Boonstra's for their comments and asked the Board if they had any additional questions. There was no response.

Motion: Trustee Farrell moved to deny the variation request as submitted by Mr. & Dr. Boonstra, 71 N. Saddle Tree Lane to construct a flight cage and treat birds of prey; seconded by Trustee Pino.

Discussion: There was lengthy discussion.

Vote on Motion

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

President Sauer declared the motion approved.

Motion: Trustee Boland moved that Mr. & Dr. Boonstra, 71 N. Saddle Tree Lane, have six (6) months to remove any outside ancillary structures that have been established and one (1) year to cease any use that is contrary to the existing ordinance; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

Trustee Kolar recommended that Mr. & Dr. Boonstra contact Citizens for Conservation to see if they have any available space which may be potentially utilized for their project.

**F. Ordinance #1124 Amending Village Code Title 5, to add a new Article C to Chapter 3, Emerald Ash Borer**

The Ordinance had been made available to the Board in their packet materials. President Sauer explained that the northern portion of the State of Illinois is under a State imposed quarantine relating to ash trees and the Emerald Ash Borer. While there have been no reports of Emerald Ash Borers being found in the Village, information from Village Forester Susan Allman and the State of Illinois advised that in order to prevent the importation and spread of the Emerald Ash Borer, there need to be regulations which prohibit the removal of ash trees, limbs, and bark. The Village has additionally inquired with the State of Illinois about completing an entire inventory of Village trees and has volunteered a number of trees within the community to be tested and monitored for the Emerald Ash Borer.

Village Attorney J.W. Braithwaite stated that the ordinance would give local enforcement to the quarantine imposed by the state.

Trustee Boland asked if the Village Forester would be able to enforce the ordinance by filing a complaint with the Sherriff. Village Attorney J.W. Braithwaite replied that the Village Forester would be able to file a complaint with the Sherriff, however, in an ordinary case, notification to the residents would be sent prior to filing a complaint.

Trustee Farrell had a question about the wording of paragraph three (3) of the ordinance. Village Attorney J.W. Braithwaite stated that the Village is currently not experiencing any problems, and that it provides a comfort level to the citizens.

Trustee Boland noted that it is important to notify the residents of the issue and recommended using the Village newsletter and Village website.

Motion: Trustee Boland moved to adopt Ordinance #1124; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

**V. COMMISSION AND 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 8/6/07**
- F. Environmental & Health Commission Meeting Minutes 8/7/07**
- G. Zoning Board of Appeals Public Hearing Minutes 8/14/07**

**VI. ADMINISTRATION – President Bruce Sauer**

**A. Proposed Burning Ordinance – Discussion**

A draft of the ordinance regulating outdoor burning was made available to the Board for their review. President Sauer explained that Village Attorney J.W. Braithwaite would make provisions and clarifications after the Board members submit their views and determines the basic policy decision.

Trustee Pino stated that he liked the proposed ordinance. Trustee Farrell stated that she disliked the proposed ordinance.

Bruce Kramper, 178 Pheasant Run Trail, stated that he has worked on the outdoor burning ordinance for the past two years. He noted that some of the current members of the Environmental and Health Commission did not have the opportunity to hear prior expert speakers who spoke on the topic, including the Lake Zurich Fire Marshall who addressed safety issues. Mr. Kramper stated that according to the International Fire Code (IFC), any burning done within the Village is an exception to the IFC and that Fire Departments prefer written permission as opposed to verbal permission regarding outdoor burning.

Mr. Kramper asked that the Board to consider the information presented and feels that the quality of life can improve within the Village if changes are made.

**B. Police Contract Expiring with Lake County Sheriff; Discuss proposal from Tower Lakes to provide services**

President Sauer explained that the Village's Police Contract with the Lake County Sheriff will expire on December 31, 2007 and noted that their service has been outstanding.

President Sauer asked if Trustee Boland would be interested in being involved in the negotiation process of the new police contract. Trustee Boland agreed. President Sauer stated that he would forward the necessary paperwork to Trustee Boland for review.

**C. Tower Lakes Police Department – Discussion re: traffic control at North Barrington School**

President Sauer stated that Kathleen Leitner, President of the Village of Tower Lakes, has asked to give a presentation regarding their police services.

President Sauer noted that the Tower Lakes Police Department and Chief of Police, Sam Sinacore, assisted the N. Barrington Elementary School on Route 59 regarding the school traffic issue. The issue of placing a traffic sign on Route 59 is still being examined.

**D. Resident request to use Village Hall Parking Lot, Saturday October 13, 2007**

President Sauer explained that resident Kelly Benjamin, 120 Old Barrington Road, would like permission to use the Village Hall parking lot on Saturday, October 13, 2007. Ms. Benjamin is having a wedding and reception in her yard which is located across the road from the Village Hall.

Trustee Pino stated that he has prepared a standard hold harmless agreement for the Village to use in these types of situations and will forward a copy to the Village.

Trustee Boland stated that the form the resident needs to provide as the certificate of insurance should be an Accord 25. It is a specific type of certificate of insurance that makes the Village an additional insured. Trustee Boland stated an indemnification is also needed.

Motion: Trustee Pino moved to approve permission for Kelly Benjamin, 120 Old Barrington Road, to use the Village Hall parking lot, Saturday, October 13, 2007 by obtaining an Accord 25 Certificate of Insurance and an indemnification from the resident prior to the scheduled event; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

**VII. REPORTS BY BOARD OF TRUSTEES**

**A. Trustee Boland**

Trustee Boland reported that the Family Movie Night featuring “E.T.” scheduled at Eton Park was cancelled August 18<sup>th</sup> due to rain.

**B. Trustee Contorno**

Trustee Contorno was absent.

**C. Trustee Farrell**

Trustee Farrell reported that the Village decided to officially discontinue their participation of the proposed project located at 566 Miller Road. A subcommittee had been formed to assist the owner of the property, Ms. Tichy, and to explore the requirements needed for creating a Science center. It was determined that Ms. Tichy's expectations of village participation exceeded the Village's realm of capabilities. One of Ms. Tichy's concerns was the time involved in re-zoning a residential lot and going through zoning variation process.

Trustee Pino stated that the Village should send Ms. Tichy a letter stating that we are willing to assist Ms. Tichy with the zoning variation process.

**D. Trustee Kolar**

Trustee Kolar reported that due to a recent rainfall, there have been many complaints regarding stormwater and flooding issues. Addresses included in these complaints are: 450 Signal Hill Road, 610 and 615 Signal Hill Road. President Sauer stated that Trustee Kolar should contact Bill Klewin of Gewalt Hamilton Associates, Inc. regarding the issues.

Trustee Kolar referred to the guard rail issue concerning the Woodland Drive culvert. President Sauer explained that a landscaping plan is currently being evaluated as an added safety feature and that due to rain, the staining of the sample board has been delayed.

**E. Trustee Pino**

Trustee Pino reported that according to the activity report submitted by Village Building and Zoning Officer Kelly Rafferty, there are thirty-four (34) Building Permit Applications currently pending and three (3) Subdivision Petitions currently pending. Trustee Pino updated the Trustees on the activities of the Zoning Board of Appeals meeting held August 14, 2007.

**F. Trustee Weiner**

Trustee Weiner was absent.

**VIII. CLOSED SESSION**

There was no closed session.

**IX. OLD BUSINESS**

Trustee Boland asked if Frank Tripicchio had contacted the Village regarding his proposal to serve as an independent consultant for Public Works. President Sauer explained that he spoke with Mr. Tripicchio and the matter is still under consideration.

**X. NEW BUSINESS**

There was discussion among the Board about the necessity and cost for a traffic light due to a recent accident and death located at the intersection of Route 12 and entrance to the Wynstone subdivision.

**XI. ADJOURNMENT**

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

At 9:40 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held September 26, 2007.

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