

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD MONDAY,
AUGUST 25, 2003 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD

I. Call to Order and Roll Call

At 7:35 P.M. President Starkey called the Meeting to order. The Clerk led the Pledge of Allegiance, and then called the roll:

Present: Trustees Forman, McEnroe, Peterson and Parker (arriving at 8 p.m.)
President Starkey

Absent: Trustee Hjertstedt

Also Present: Kathy Nelander, Village Clerk
Bobbi Svacha, Village Treasurer
Al Stefan, Baxter & Woodman

J.W. Braithwaite, Arnstein & Lehr

Barb Potter, 285 Biltmore Drive

David Adolphson, 483 E. Oxford Road

Warren Nass, 107 Mohawk Drive

Marty Jones, Department of Natural Resources, Bartlett

Eleanor McDonnell, 196 Beachview Lane

Mark Spreyer, 33 W. Penny Road

Robert Nelander, 237 Beachview Lane

Brian Thomson, 580 Crooked Lane

Pat and James Kemper III, 471 E. Oxford Road

Conrad & Kelly Mazeski, 243 Woodland Drive

Scott Gaschler, Wauconda Fire Department, Wauconda

Eric & Colleen Lee, 261 Drury Lane

Mindy Nelson, 257 Drury Lane

Barry Altshuler, 211 Biltmore Drive

Jill Kelly, 229 Route 59

Lisa and Neil LaBute, 223 Route 59

George Dyer, 239 Beachview Lane

George & Ann McCarty, 890 Rainbow Road

Cristel Mohrman, Barrington Courier Review, 200 James Street,

Barrington

Rob Horne for Mr. & Mrs. Frank Tripicchio, 241 Beachview Lane

Scott Payne, 255 Oxford Road

II. Public Comment

Mindy Nelson, 257 Drury Lane, addressed the Board. She said that she had heard that the

Village had plans to cull deer in the Village and presented the Board with a petition signed by 27 residents against the culling of deer. She asked about the deer count and if any of the information had been documented. She also provided each Board member with a VHS tape featuring deer culling methods such as Rocket Netting and Bow Hunting.

President Starkey explained that a survey had been sent to Village residents regarding a number of issues; including deer. She said that the Environmental Commission, specifically Mrs. Pat Kemper, compiled the survey results related to the deer population, and any encounters with the deer. President Starkey said that there had not been an official count of the deer, and that a representative from the Illinois Department of Natural Resources was in attendance to talk about managing the deer population. She explained that the Village Board had never discussed the culling of deer.

Dave Adolphson, 483 E. Oxford Road, asked that the Board re-evaluate their previous actions to delete section ZR8-2 from the Village's Zoning Code. Mr. Adolphson said that while in attendance at the meeting, he didn't hear any of the reasons as to why the removal of the Section was necessary, if the section had ever been used, or if there were any alternative solutions.

Pat Kemper, 471 E. Oxford Road, asked the Board to reinstate Section ZR8-2B to the Village Zoning Code. She said that she felt the Board was looking at only one property with regard to this section and felt it was the Board's obligation to view the entire Village and other lots that also may be affected. She said that she did not understand the Board's reasons for removing the section from the Code.

Neil LaBute, 223 Route 59, expressed his opposition to the killing of deer in the Village.

Jill Kelly, 229 Route 59, had concerns about the speed limit on Route 59. She suggested that a School Speed Zone start at Golfview Drive all the way to North Barrington School. Village Engineer Al Stefan said that the State Route 59 did have a School Speed Zone, and possibly when road work was done a few years ago, that the signs did not get re-posted. Al Stefan said that he would contact IDOT regarding the speed limit and the maximum distances for the speed zone. Trustee Forman said that she would be happy to work with Ms. Kelly regarding the speed zone, as well as speed issues on Route 59.

Scott Payne, 255 Oxford Road, said that when he was a Trustee (1995-99), there was a School Speed Zone in front of the school. He also explained that at that time, the Village was not able to extend the speed zone any further, nor were they allowed to install yellow flashing warning lights due to the proximity of the signal at Miller Road.

Kelly Mazeski, 243 Woodland Drive, expressed her opposition to the culling of deer in the Village. She asked that if the Board were to consider culling, she would arrange to have other experts to address the Board. She read a letter from the Humane Society of the United States to

Superior, Wisconsin, a community considering bow hunting as an option for controlling the deer population.

Conrad Mazeski, 243 Woodland Drive, said that he was surprised that the deer population was an issue in the Village based on the number of responses from the Village survey.

President Starkey reminded the Board that there had been a request from a resident to reconsider Ordinance #1010 which deleted Zoning Text ZR-8-2(B) as related to setback provisions, which had been adopted at the July 28, 2003 Board Meeting.

Motion: Trustee Forman moved to reconsider Ordinance #1010; there was no second.

President Starkey declared the motion died for lack of a second. President Starkey said that sound judgment was used in the Board's adoption of Ordinance #1010, and it was the consensus of the Board that the section of the code was not enforceable.

III: Consent Agenda

Under Item A in the Consent Agenda, the Minutes of the Regular Board Meeting on 7/28/03 as well as Item D, Issue Idealease Final Occupancy Permit, were removed from the agenda.

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

- B. Approve the Treasurer's Report for the 3rd month of F/Y 2004 for file and audit
- C. Approve the August 25, 2003 Vouchers for payment of bills
- E. Release of easement for Lot K-8 in Wynstone

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: Trustees, Forman, McEnroe, Parker and Peterson, President Starkey

Nays: None

Absent: Trustee Hjertstedt

Abstain: None

President Starkey declared the motion approved.

Removed from the Consent Agenda for discussion and action:

- A. Approve the Minutes of the Regular Board Meeting on 7/28/03

The Minutes of the Regular Board Meeting on 7/28/03 had been made available to the Board in the previously distributed agenda packet. Trustee Forman requested that there be a change of text, which she presented in writing, to the minutes. There was some discussion.

Motion: Trustee Forman moved to approve the Minutes of the Regular Board Meeting on 7/28/03 as amended; seconded by Trustee Peterson.

Discussion: There was some discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Starkey declared the motion approved.

D. Issue Idealease final Occupancy Permit

Trustee Parker asked if the Village had enough money in the bank, in the form of letters of credit, to protect itself with regards to the retention/detention pond and rear berm landscaping, if the Talon project fell through. Trustee Parker had concerns that Simanco may not follow through on the landscaping, and inquired if Simanco's current letter of credit was sufficient to cover the proposed work. Village Engineer Al Stefan reported that there were \$95,000 in the forms of two letters of credit, one from Idealease and the other from Simanco, and that amount would be sufficient to re-grade/re-seed the area as well as the other required landscaping. After some discussion it was decided to extend the Idealease Temporary Occupancy Permit until December 31, 2003.

Motion: Trustee Peterson moved to extend the Idealease Temporary Occupancy Permit until December 31, 2003; seconded by Trustee McEnroe.

Discussion: There was some discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Starkey declared the motion approved.

IV. Appointments/Resignations

A. Recognition of Brian Johnson (ZBA)

President Starkey reported that Zoning Board of Appeals member Brian Johnson was relocating to the Phoenix area and would be resigning from the ZBA. President Starkey read a certificate of appreciation for Brian Johnson, thanking him for serving over 11 years on the Zoning Board of Appeals.

B. Recognition of George McCarty (H&S)

President Starkey invited George McCarty and his wife Ann to the front of the meeting room, and reported that the McCarty's were moving out of the area. President Starkey explained that Mr. McCarty had served the Village of North Barrington for six years as Health Officer and 20

years on the Health & Sanitation Commission. President Starkey read a certificate of appreciation and presented Mr. McCarty with an engraved clock. The Board gave Mr. McCarty a standing ovation for his service to the Village.

C. Resolution #2283 appointing Bryan McGonigal as Member of the Zoning Board of Appeals

The Resolution was made available to the Board.

Motion: Trustee Forman moved to approve Resolution #2283; seconded by Trustee McEnroe.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Starkey declared Resolution #2283 approved and put on file.

V. Variations/Subdivisions/Code Amendments

A. Ordinance #1012 Code Amendment pertaining to signs

The Ordinance had been made available to the Board in the Agenda packet. President Starkey referred to the Village Attorney's memo regarding a prior passing and then reconsideration of a comprehensive sign ordinance in July 2001. President Starkey explained that the sign ordinance was sent back to the Plan Commission for reworking, and that the only sign ordinance in effect is very short language contained in the Zoning Ordinance and applies only to residential signs. President Starkey explained that Talon Development has a proposed office development in Wynstone North and there are no parameters for signage for the new commercial development. She said that the Village currently needs some type of Ordinance in place, even though the Plan Commission will probably have additional changes to the Ordinance. There was further discussion.

Motion: Trustee Parker moved to adopt Ordinance #1011; seconded by Trustee Peterson.

Discussion: There was some discussion.

Vote on Motion

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|---------------|----------|---|
| By Roll Call: | Ayes: | Trustee Forman, Peterson, Parker, and McEnroe |
| | Nays: | None |
| | Absent: | Trustee Hjertstedt |
| | Abstain: | None |

President Starkey declared the motion approved.

B. Ordinance #1011 Code Amendment pertaining to Title 3, Chapters 1 and 6 (Environmental and Health Commission)

President Starkey reminded the Board of a previous decision to combine the Environmental Commission with the Health & Sanitation Commission. President Starkey said that Ordinance #1011 would replace Chapter 1 of Title III of the Village Code and delete Chapter 6 of Title III. There were some questions from the Board.

Motion: Trustee McEnroe moved to adopt Ordinance #1011; seconded by Trustee Peterson.

Discussion: There was some discussion.

Vote on Motion

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|---------------|----------|---|
| By Roll Call: | Ayes: | Trustee Forman, Peterson, Parker, and McEnroe |
| | Nays: | None |
| | Absent: | Trustee Hjertstedt |
| | Abstain: | None |

President Starkey declared the motion approved.

C. Zoning Variation Ordinance regarding proposed addition at 241 Beachview Lane, North Barrington (Mr. & Mrs. Tripicchio)

President Starkey invited Zoning Board of Appeals Chairman Warren Nass to address the Board regarding the variance request. Chairman Nass noted that all requirements had been met by the applicant and explained the variances to the code requested by Mr. & Mrs. Frank C. Tripicchio.

ZR-1-2(B) and

ZR-1-7(A,2): A non-conforming building or use shall not be expanded

The subject property constitutes a legal non-conforming use on account of its lot area, average lot width, lot width at the front lot line and existing building setback encroachments.

ZR-5-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet, an average width of at least 130 feet, and a width at the front lot line of at least 115 feet.

The subject property (Lots 24 and 25 in Block 24 in Unit No. 1 of Biltmore County Estates) has an area of approximately 12,000 s.f., an average width of approximately 96 feet, and a width at the front lot of 100 feet.

ZR-8-2(C): From each side line, the setback shall not be less than 10 feet.

The existing house is located approximately 8.87 feet from the west side line.

ZR-8-2(D): From the rear line, the setback shall not be less than 40 feet.

The existing house is located approximately 26.1 feet from the rear line

Chairman Nass explained that the applicant wanted to construct an addition to the front of the house, extending the existing garage 25.8 feet, and to construct a second story porch above the garage. Chairman Nass said that he felt that the addition would block the view of the neighbor to

the east, and offset the setbacks and symmetry of the adjacent homes on the street. He said that there were some concerns from adjacent neighbors after the Zoning Board heard the request. Chairman Nass explained that the ZBA vote consisted of three favorable votes and one opposing, and the Zoning Ordinance required a majority of 4 votes, and as a result, a recommendation of "no recommendation" was being made to the Village Board.

Rob Horne explained that Mr. & Mrs. Tripicchio were out of town and he was in attendance as their representative. Mr. Horne explained that the garage addition was 16 feet beyond the front façade of the house, as the garage was set back approximately 9 feet from the front portion of the house. Mr. Horne said that he did not think there were any uniform setbacks in the neighborhood, and that uniform setbacks were generally used for small front yards. Mr. Horne said that the Tripicchio's had a very small garage, that they were very interested in building this addition, and that the addition would add value to the surrounding area.

President Starkey explained that there were no variations needed for the front setback, the subject property required variances due to its lot area, average lot width, lot width at the front lot line and existing building setback encroachments. She explained that the property was in the R-3 zoning district which required a 40,000 square foot minimum lot area, and the subject lot was only 12,000 square feet.

George Dyer, 239 Beachview Lane, asked that the Board vote against the requested variance. Mr. Dyer said that from his front porch he had an unobstructed view to Biltmore's golf course. He said that the view added considerable value to his property, and if the proposed addition was erected, his view would disappear, due to the slope of the ground and the height of the addition, and decrease the value of his home.

Trustee Peterson said that one of the standards for granting a variance was due to "hardship" and he did not perceive a hardship in this situation. Trustee Peterson asked why the homeowner couldn't enlarge the garage door without the addition.

Mr. Horne said that the Tripicchio's wanted to store a boat in the garage, and have a two car deep garage.

Trustee Forman asked how long the Tripicchio's had owned the home and if they owned the boat prior buying the home. According to submitted information, it was noted that the Tripicchio's had lived in the home for 3 years. Mr. Horne said that the boat was owned prior to the purchase of the home, and added that if the Board needed additional information, Mr. Tripicchio asked that the Board postpone their decision until his return.

Trustee Parker said that he had measured the front setbacks at the homes at 241, 239 and 237 Beachview Lane and, respectively the measurements were 85, 69, and 57 feet from the street to the front portion of the house. Trustee Parker said that he did not feel that the addition would obstruct the view of the neighbor to the east.

Trustee Forman said that the roads in Biltmore curve and the houses were setback accordingly so that all the homes in that area would have a view of the golf course. She also said that she had concerns that the reason for the addition was to store recreational vehicles.

President Starkey recapped that the variance request did not get the required four votes at the Zoning Board of Appeals meeting. President Starkey said that she had concerns about recreational vehicle storage and said that she felt that the addition would look out of place in the neighborhood. There was lengthy discussion.

Trustee Peterson suggested the topic be tabled.

Motion: Trustee Peterson moved to table the variance request; there was no second.

President Starkey declared the motion died for lack of a second.

Motion: Trustee McEnroe moved to approve the variance request for Mr. & Mrs. Frank Tripicchio to construct a garage and porch addition to the home at 241 Beachview Lane, using the preliminary plans as submitted to the Zoning Board of Appeals and that final architectural drawings would be required for permitting purposes; seconded by Trustee Parker.

Discussion: There was lengthy discussion.

Vote on Motion

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| By Roll Call: | Ayes: | Trustee Parker |
| | Nays: | Trustees Forman, McEnroe and Peterson, President Starkey |
| | Absent: | Trustee Hjertstedt |
| | Abstain: | None |

President Starkey declared the motion defeated and the variance request denied.

D. Zoning Variation Ordinance regarding proposed fence at 435 Brookmont Lane, North Barrington (Mr. & Mrs. Riley)

President Starkey invited Zoning Board of Appeals Chairman Warren Nass to address the Board regarding the variance request. Chairman Nass noted that all requirements had been met by the applicant and explained the variances to the code requested by Mr. & Mrs. Riley.

ZR-9A-2(B): Except as otherwise permitted by this Chapter or otherwise by the Village Code, no fence shall be more than three (3) feet in height.
The proposed fencing is six (6) feet in height.

ZR-9A-2(I) Every fence shall be constructed with at least fifty percent (50%) open space between the elements of which the fence is constructed in order that one may see through the fence when viewed in a direction perpendicular to the fence.
The proposed fencing is a privacy-type fence which is constructed with no open

space between the elements of which the fence is constructed.

Chairman Nass noted that there were no objections from Village Staff to the proposed addition, although there were objections from three neighbors, in the form of letters, submitted to the Board. Chairman Nass said that the homeowner wanted to install a six foot fence privacy fence for the containment of their dogs. Chairman Nass reported that there already was a non-conforming 6 foot stockade type fence currently on the property. Chairman Nass noted that the Village has allowed six foot privacy fencing, but only for homes on highways; for privacy, safety and noise control. Chairman Nass said that he had explained to the homeowner that the Village did allow fences that were three feet high with 50% open space. Chairman Nass explained that the Zoning Board of Appeals had recommended denial of the variance request and that the homeowner possibly would resubmit with a different plan. It was noted that the Riley's were not in attendance at this evening's meeting.

Motion: Trustee McEnroe moved to approve the variance request for Mr. & Mrs. Riley to install 380 lineal feet of 6 foot high wooden privacy fencing in the rear of the home at 435 Brookmont Lane using the drawing as submitted to the Zoning Board of Appeals; seconded by Trustee Parker.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: None
Nays: Trustees Forman, McEnroe, Parker and Peterson, President

Starkey

Absent: Trustee Hjertstedt
Abstain: None

President Starkey declared the motion defeated and the variance request denied.

VI. COMMISSION AND STAFF REPORTS

President Starkey said 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. Engineering Project Status Report (Al Stefan - Baxter & Woodman)

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

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

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

D. Plan Commission Meeting Minutes from 8/11/03.

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

E. Zoning Board of Appeals Meeting Minutes from 8/12/03.

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

F. Parks Commission Meeting Minutes from 8/11/03.

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

G. Environmental Commission Meeting Minutes from 8/28/03.

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

H. Staff Meeting Minutes from 8/19/03.

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

VI. ADMINISTRATION

A. President's report

The Report was made available to the Board.

B. Code Book

President Starkey explained she had received the final draft of the Village's Code Book from Sterling Codifiers. She explained that the Village Staff and Board will have an opportunity to review the document and suggest changes. She explained that the re-codification was a massive undertaking, and that she would be reviewing the document and then setting up a routing schedule so that all parties will have a chance to review the document. She explained that when the project was started, many years ago, the Village wanted 20 hard copies of the Code Book. President Starkey explained that the Code Book was very hard to maintain, and that she was proposing having Sterling Codifiers maintain the Code Book. The Village would also have the Code Book on the Internet, also hosted and maintained by Sterling Codifiers. She explained that Sterling Codifiers has done this for many municipalities, and the online access was a great resource for residents and staff. President Starkey said that a few hard copies would be available for Village Hall use. She said that updates to the Code Book would be completed in approximately a 30-45 days, and referred to the quote from Sterling Codifiers. President Starkey said that an anticipated budget was approximately \$1000 per year, with an additional cost of \$500 a year for internet host fees, so approximately \$1500 per year. President Starkey said that Village Attorney's Arnstein and Lehr had offered to keep the book updated, but she felt that since Sterling only deals with codification matters, Sterling was the better choice.

Motion: Trustee Parker moved to hire Sterling Codifiers, Inc. to keep the Village Code up to date, and to host the Internet version of the Village Code, in an amount not to exceed \$1500 per year out of the Administrative Budget; seconded by Trustee Peterson.

Discussion: There was some discussion.

Vote on Motion

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| By Roll Call: | Ayes: | Trustees Forman, McEnroe, Parker and Peterson, President Starkey |
| | Nays: | None |
| | Absent: | Trustee Hjertstedt |
| | Abstain: | None |

President Starkey declared the motion approved.

C. Wauconda IEPA Permit

President Starkey reported that she received a memo from Lake Barrington regarding the proposed expansion of Wauconda's sewage treatment plant. President Starkey explained that Lake Barrington had hired an engineering firm to evaluate the full impacts upon their community, although that report was not available. She said that Lake Barrington, along with Cuba Township, had authorized an expenditure of up to \$10,000 to cover engineering expenses up until the hearing to be held on September 9th. President Starkey said that this was included in the packet for the Board's information, and that all interested parties should attend the public hearing for further information. President Starkey said that she would report any updates to the Board at the next meeting.

D. ILDNR representative (Mr. Marty Jones) Re: Deer

President Starkey invited Environmental Commission member Pat Kemper to introduce the topic as well as the speaker to the Board. Ms. Kemper explained that the Environmental Commission had invited Mr. Jones to speak to the Board this evening. Ms. Kemper explained that a Village survey had been sent out in the spring of 2003 to get feedback on several issues, one of those being deer. Ms. Kemper said that she compiled the results of the survey, which had a very low return, and that 73 residents answered the deer question and that 52 of those felt the deer were a problem. She said that the major complaint was due to landscaping damage and that some residents felt there were too many deer in the Village. Ms. Kemper said that she then contacted Mr. Marty Jones, the Urban Deer Project Manager for the Illinois Department of Natural Resources, and asked if he could give a presentation to the Board of Trustees regarding deer management.

Mr. Marty Jones explained that he had been the Urban Deer Project Manager for the last 18 years, and was not here to promote deer control, but was here to suggest solutions. He explained that culling is used statewide, but Village Ordinances would have to be modified if there were to be culling. He outlined the types of permits that are issued in Lake County.

There was lengthy discussion about various methods used for hunting and success rates, how often deer control measures had to be utilized, the use of plantings and sprays that are deer deterrent, wasting disease, and the areas of the Village where the deer were more prevalent. It was asked how to decide if the deer population was overpopulated. Mr. Jones said that the decision was usually a local decision, based on accident reports and resident complaints. There was also some discussion about the commonness of sets of twins in deer, and the increase in coyote population.

Trustee Forman had some questions for Village Attorney Braithwaite, about language in the code, as well as if the Wynstone subdivision needed permission from the Village before any culling of deer could take place. Mr. Braithwaite said that Wynstone would require the Village's permission to proceed with culling.

President Starkey said that sole purpose of bringing the topic to the table was to discuss a perceived problem by some residents and to discuss what action, if any, the Board would initiate. It was the consensus of the Board to leave the current Ordinance as is, to instruct the Environmental Commission to secure information from other municipalities who had previously managed the deer population, those municipalities who didn't and why, any consequences from culling versus non-culling, and the nuisance level of the deer. Mr. Jones said that he could provide some of that information to Environmental Commission member Pat Kemper.

President Starkey thanked Mr. Jones as well as Ms. Kemper for their remarks. President Starkey said that when the topic was to be discussed again at Board level, agendas would be sent out to those in the audience who had concerns regarding the deer.

President Starkey said that the Board was going to take a short break.

The Village Board recessed at 9:45 p.m.

The Village Board reconvened at 9:50 p.m.

E. Website redesign

President Starkey reminded the Board of plans to update the Village's website, and referenced a prototype contained in the Trustee's packets. President Starkey said that the Board had approved funds to proceed with this and that she had received three quotes. She explained that the current service provider, The Web Contractors, had submitted the lowest bid at \$1000. President Starkey said that she had done a lot of work inputting the information, but before she went ahead she wanted the Board's comments. She asked if the Board wanted to see all the suggested links for the Code Book, various applications, etc. The Board concurred that the website was a helpful tool for residents and the more information included the better.

Motion: Trustee Forman moved to hire The Web Contractors to update the Village's website, in an amount not to exceed \$1000; seconded by Trustee Peterson.

Discussion: There was some discussion.

Vote on Motion

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|---------------|----------|--|
| By Roll Call: | Ayes: | Trustees Forman, McEnroe, Parker and Peterson, President Starkey |
| | Nays: | None |
| | Absent: | Trustee Hjertstedt |
| | Abstain: | None |

President Starkey declared the motion approved.

F. Kenyon request for funds

President Starkey explained that previously, the Village Board had accepted the Environmental

Commission's recommendation that the Village voluntarily pay to restore a trench dug by VSI at 85 Arboretum Court to its original state or Mr. Kenyon could apply the cost of restoration to another solution as recommended by the Village Engineer, in an amount not to exceed \$500. President Starkey explained that the Village voluntarily dug the trench in an effort to help Mr. Kenyon with his drainable problem, although it was determined that the Village had no responsibility regarding the drainage issues at the property. President Starkey reported that Mr. Kenyon had submitted a bill from his landscaping firm, JB Enterprises Landscape, Inc., for \$2500.

Village Engineer Al Stefan reported that a pipe under drain had been installed, that the swale had been reseeded, and that the current solution should work if maintained, at 85 Arboretum Court.

Village Attorney Braithwaite suggested that Mr. Kenyon acknowledge that upon receipt of the sum of \$500 from the Village of North Barrington, he would have no further claim of any kind against the Village, and would be responsible for any and all bills from JB Enterprise Landscape, Inc., or any other persons related to this work and that the matter was closed. Village Engineer Stefan suggested that the maintenance issue also be stressed in the Village's correspondence with Mr. Kenyon.

Motion: Trustee Peterson moved to authorize payment of \$500 to Mr. Kenyon, upon receipt of properly signed documents prepared by the Village Attorney; seconded by Trustee McEnroe.

Discussion: There was some discussion.

Vote on Motion

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| By Roll Call: | Ayes: | Trustees Forman, McEnroe, Parker and Peterson, President Starkey |
| | Nays: | None |
| | Absent: | Trustee Hjertstedt |
| | Abstain: | None |

President Starkey declared the motion approved.

G. Finance Committee report

Trustee McEnroe reported that the Village had drafted an Investment Policy in 1999 and that it was very comprehensive, and that no changes were needed. Trustee McEnroe reported that there had been two meetings of the Finance Committee; that there had been discussions of a longer term investment policy, but due to low interest rates, the Committee decided keep things as they are. Trustee McEnroe said the Committee was currently reviewing the collateral agreements at Harris Bank and the Village Bank and Trust, and although the banks have pledged securities, the Village will return to Federal securities as collateral when interest rates normalize. He also discussed integrating Quick Books with the current Treasurer's Report in an attempt to summarize where the Village funds are, who they are invested with, any collateral, and interest rates, so that there could be a monthly report on the Village's investments.

Trustee McEnroe also said he and Village Attorney Nancy Harbottle were reviewing the Barrington Code of Ethics Ordinance, and found it to be very comprehensive. He suggests the Village of North Barrington re-look at the adoption of an Ethics Ordinance.

President Starkey said that Detterbeck and Associates would present the Village's audit to the Board at either the October or November Board Meeting.

Trustee Forman asked if there was still an opening on the Finance Committee. President Starkey said that she was in contact with a banking professional, and was looking to add someone with banking and financial knowledge to the Committee. It was decided that, in the future, all Trustees would receive a copy of the Finance Committee Agenda.

H. North Barrington/Barrington Intergovernmental Boundary Agreement (tabled)

President Starkey said that the topic would remain tabled.

VIII. Reports by Board of Trustees

A. Trustee Craig Parker

Trustee Parker explained that he had done two surveys of the roads in the last month, the first looking at areas that needed to be cleared around street signs. He explained that he made a map for Gitchel's and they reported that if cleared correctly, that those areas would only have to be trimmed every three years. Trustee Parker reported that he authorized Gitchel's to perform the work in the winter months, which offers the Village a 33% reduction in prices. Trustee Parker explained that the second survey was for road patching. He explained that he, with Village Engineer Al Stefan, went around the Village trying to get an idea of what work had been done in the past, and the state of the road before patching was considered. Trustee Parker explained that he gave a copy of the map containing areas to be patched, and that Baxter & Woodman would be marking up the road areas for VSI. He reported that these repairs would be done in September. Trustee Parker said that he had also looked in to the Village's street signs. He explained that signs are very expensive, and he with Al Stefan, were looking into ordering stickers made by 3M which could be placed over the existing sign which needed repair and better visibility.

B. Trustee Fred Hjertstedt

As Trustee Hjertstedt was absent, President Starkey reported that the planning for Run Through the Woods, as well as Fall Event, were well underway, and President Starkey asked for 100% participation from the Board in these events. She reported that although sponsorship was lower than past years, the Run would take place. There was discussion on how the Board could volunteer, and President Starkey said that she would inform the Parks & Recreation

Commission to solicit help from the Board.

C. Trustee Kimberly Forman

Trustee Forman had questions regarding a proposed fence on the property line between Biltmore grounds and residents on Biltmore Drive. President Starkey said that the Club had not applied for any permits, but that the proposed three foot high split rail fence was to address encroachment issues, and would comply with the Village's fence ordinance. Trustee Forman also asked about the weed content of Honey Lake. There was further discussion about cattails and weeds in Honey Lake.

D. Trustee Dave Peterson

Trustee Peterson reminded the Board that at July's Board meeting, it was determined that the Board would review materials and references regarding work proposed from Ted Gray and Associates, for further discussion at the August Board meeting. Trustee Peterson said that the first issue was for the properties at 404 and 405 Concord Lane. Trustee Peterson reminded the Board that the Environmental Commission had recommended hiring Ted Gray and Associates to look into the stormwater problem at 404 and 405 Concord Lane; the amount of the bid totaling \$10,750. Trustee Peterson said that this amount was to devise a comprehensive solution to address the stormwater runoff issues at Concord Lane.

Trustee Peterson said that Environmental Commission member Barb Potter would address the Board regarding the Swano property. Ms. Potter gave some background information and summarized that there was water in the back yard of Mrs. Swano's property at 405 Concord Lane for many years, with the water coming into the yard from many directions. Ms. Potter explained that both Ted Gray and Associates and Baxter & Woodman had submitted proposals to investigate solutions for the stormwater problems at the site and that Ted Gray and Assoc.'s bid was lower.

Trustee Parker asked if there had been any proposals submitted before this time. Ms. Potter replied that yes, there had been proposals, but work had never been performed, or funds appropriated towards the problem. It was mentioned that the funds were only to study the problem and did not include any work. It was asked how Ted Gray and Associates were consulted. Ms. Potter explained that the Environmental Commission was looking at a more environmental solution to the problem verses the digging of ditches, and the homeowners at Concord Lane requested that the problems be viewed from a different perspective.

Trustee McEnroe said that he felt it was the Environmental Commission's responsibility to make recommendations, but that it was the Board's responsibility to select the consultants.

Trustee Peterson explained that the Environmental Commission was looking into different

options. It was also noted that a formal bidding process was not used for this project.

There was further discussion on the bidding for the project, and if in fact the bids contained the same specifications of work. Village Engineer Al Stefan answered some questions from the Board regarding the bid for the study. He explained that the bid included the study, survey time, as well as a delineation, but no actual construction. It was noted that Baxter and Woodman had done studies in the past regarding this property and some of their recommendations were acted on and some were not. After lengthy discussion, it was the consensus of the Board to do further research on the issue, review the bids and the scope of the study, and to discuss at the next, regularly scheduled meeting. President Starkey asked that the Board review the materials previously provided regarding this issue, and to bring them to the next Board meeting.

Trustee Peterson explained that there was a second issue relating to Ted Gray and Associates regarding the Environmental Commission's recommendation to have Ted Gray and Associates look at the plan submitted by Baxter and Woodman for the Flint Creek Study. It was the consensus of the Board that a second opinion in the matter of the Flint Creek Study was feasible.

After some discussion, it was determined that the Board would review the materials for further discussion at the September Board meeting.

E. Trustee Jack McEnroe

Trustee McEnroe reported that he was going to talk to Building and Zoning Officer Kelly Rafferty about the Village's building permit structure. He explained that he was looking to compare it to other villages with regard to the more prevalent teardowns and remodeling activities. Trustee McEnroe said he was interested if the fee structure was comparable to other villages. President Starkey said that Village staff was working on such building permit update and the Plan Commission was looking into a teardown ordinance.

IX. CLOSED SESSION.

Due to the lateness of the hour, there was no closed session.

X. OLD BUSINESS

There was no old business to discuss.

XI. NEW BUSINESS

It was noted that future closed sessions would have to be audio taped due to a new State Statute effective January 1, 2004.

It was suggested that the December 2003 Board Meeting be changed from December 22 to December 15, 2003. The Board agreed. The December Board meeting will be held on December 15, 2003.

XII. ADJOURNMENT

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

The voice vote was unanimous in favor.

At 11:15 p.m. President Starkey declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held September 22, 2003.

Attest: _____

Kathy Nelander, Village Clerk

8/25/03 - Page 5 of 16