

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
OCTOBER 24, 2007 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

I. Call to Order and Roll Call

At 7:39 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, Contorno, Kolar, and Pino and
Weiner (arriving at 7:41 p.m.).
Absent: Trustee Farrell
Also Present: J.W. Braithwaite, Village Attorney
Kris Lennon, Deputy Village Clerk
Cathy Jackson, 176 Biltmore Drive
Joanne Potts, 255 Woodland Drive
Bruce Kramper, 178 Pheasant Run Trail
Kim Block, 128 Cherry Hill Road
Tony A. Solano, Barrington Courier

II. Public Comment

President Sauer invited members of the audience who wished to speak on the topic of the proposed leaf burning ordinance to address the Board.

Bruce Kramper, 178 Pheasant Run Trail, addressed the Board and stated that the Environmental and Health Commission was asked to provide alternatives for leaf burning in addition to the proposed ordinance. There are nearly two years remaining on the existing contract with Waste Management which is shared with Wauconda, Island Lake, Tower Lake and N. Barrington. Waste Management provides regular garbage pick up with yard waste disposal services for an additional cost. Mr. Kramper obtained bids for disposal services that combines leaf collection with standard garbage pick up; the service may be private or contracted with other municipalities. Mr. Kramper discussed alternatives with Tom Gooch of Cuba Township who may be interested in obtaining a truck for leaf disposal in order to keep culverts and catch basins clean. Mr. Kramper encouraged the Board to consider the alternatives before making a decision.

Kim Block, 128 Cherry Hill Road, addressed the Board. Mr. Block requested that the Board consider an exemption from the proposed ordinance for the 5% of residents who own a minimum of 5 acre lots with an additional understanding that those 5 acre lots would be surrounded by 5 acre lots. Mr. Block stated that the point of source for burning would essentially be 25 acres and he feels that is reasonable. He also stated that the proposed ordinance does not allow enough days during the week to burn leaves and had issue with some of the language of the proposed ordinance.

Village Attorney J.W. Braithwaite stated that the proposed ordinance was drafted by the Environmental and Health Commission and noted that the language in the proposed ordinance will be reviewed by the legal department upon agreement of a general policy decision by the Board.

Joanne Potts, 255 Woodland Drive, addressed the Board. Ms. Potts brought in pictures that illustrated how smoke affects her property when neighbors burn their leaves. Ms. Potts stated that she must close all her windows and that she gets very sick from the smoke. At one point, she contacted the Fire Department so they could see the amount of smoke generated by the burning leaves.

III. Consent Agenda

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

- A. Approve Minutes of Board Meeting – 9/26/07**
- B. Approve the 10//24/07 Vouchers for payment of bills**
- C. Approve the Treasurer’s Report for the 5th month of Fiscal Year 2008**

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

IV. VARIATIONS

- A. Ordinance # 1127 Zoning Variation, Mr. & Mrs. Michael Jackson, 176 Biltmore Drive, North Barrington.**

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. Michael Jackson.

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

The subject property is non-conforming due to lot size and existing building setback.

ZR-10-6-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet.

The lot area of the subject property is approximately 34,736 square feet.

ZR-10-9-2A: From all roads or streets, the setback to any building or structure shall not be less than sixty (60) feet from the established centerline of the road right-of-way.

Based on the 66 ft. wide right-of-way established for Biltmore Drive, the required setback shall be 27 feet. The northeast corner of the existing house is located 26.64 feet from the front property line.

Trustee Kolar questioned the language in the first paragraph on page 2 of the proposed ordinance.

It was noted by Trustee Boland that the language was accurate.

Motion: Trustee Weiner moved to adopt Ordinance # 1127; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

V. COMMISSION & STAFF REPORTS

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

- A. Building Department Report (Kelly Rafferty – Rafferty Architects)**
- B. Building Inspection Report (B&F Technical Code Services Inc.)**
- C. Engineering Project Status Report (Andrea Pracht – Baxter & Woodman)**
- D. Health & Sanitation Report (Natalie Karney – Land Technology)**
- E. Parks & Recreation Commission Meeting Minutes 10/1/07**
- F. Environmental & Health Commission Meeting Minutes 10/9/07**
- G. Zoning Board of Appeals Public Hearing Minutes 10/9/07**

VI. ADMINISTRATION – President Bruce Sauer

- A. Proposed Burning Ordinance**

A draft of the ordinance regulating outdoor burning previously had been made available to the Board for review. President Sauer asked the Board to comment on the proposed ordinance.

Trustee Weiner stated that before the Village passes a burning ordinance, alternatives for leaf burning need to be provided. Trustee Weiner mentioned that Tom Gooch of Cuba Township would like to address the Board at the next Board meeting to discuss a proposal regarding a leaf pick-up truck. Late falling leaves and high winds should be taken into consideration as well as establishing a time table to resolve the issue.

Trustee Contorno explained that the proposed ordinance is not where it needs to be and that the ordinance needs to be strengthened. He agreed with Trustee Weiner that the Board should establish a time table, especially before spring.

Trustee Boland stated that he is in favor of banning all leaf burning due to health issues. He is interested in hearing from Tom Gooch of Cuba Township and agrees that the language of the proposed ordinance needs revision.

Trustee Pino agreed with that the burning of leaves is a health issue and that the proposed ordinance needs improvement.

Trustee Kolar had nothing further to add.

President Sauer concurred that the proposed ordinance requires greater consideration and noted that Tom Gooch of Cuba Township should be invited to speak at the November Board meeting. President Sauer recommended tabling the issue and stated that he would like to see a resolution by December.

Motion: Trustee Boland moved to table the matter for further review and consideration; seconded by Trustee Pino.

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the matter tabled until the next Board meeting.

B. Resolution #2471, Intergovernmental Agreement for Cooperative Traffic Control between the Village of Tower Lakes, North Barrington and Lake Barrington

President Sauer explained that the Village of Tower Lakes has been providing traffic control at the North Barrington Elementary School for approximately one year without cost to the Village

of North Barrington. The Village of Tower Lakes proposed an Intergovernmental Agreement with the Villages of North Barrington, Lake Barrington and Tower Lakes to share the cost of the traffic control service at the school in the amount of \$5,400.00 per Village. President Sauer stated that he considers the annual fee to be a fair amount for the safety of the children.

Trustee Kolar asked if the proposed Intergovernmental Agreement will affect the ongoing school traffic issue.

Trustee Boland commented that he met with Chief Sinacore of the Tower Lakes Police Department and discussed the placement of a speed limit sign/school zone on Rt. 59 for the North Barrington Elementary School. Trustee Boland stated that Chief Sinacore is working on the issue and that he is confident that there will be a resolution.

President Sauer noted that potentially, if changes can be made, there will not be a need for a police officer at the school.

Motion: Trustee Weiner moved to approve Resolution # 2471; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

VII. REPORTS BY THE BOARD OF TRUSTEES

A. Trustee Boland

Trustee Boland reported that the Fall Festival held at Eton Park on October 7th was a great success.

Trustee Boland stated that the Tower Lakes Police Department provided the Village with an outline of a proposal for police services. The Village's Police Contract with the Lake County Sheriff will expire in December 2007. Trustee Boland recently met with Chief Sinacore who submitted the proposal as well as additional information for review. It was noted by Trustee Boland that the Village is also waiting for a proposal from the Lake County Sheriff's Police.

B. Trustee Contorno

Trustee Contorno had nothing to report.

C. Trustee Farrell

Trustee Farrell was absent.

D. Trustee Kolar

Trustee Kolar reported that the most of the landscaping on the Woodland Drive culvert has been completed. Trustee Kolar stated that it appeared that the AT&T electrical wires which hang above the culvert were not raised. President Sauer stated that he will have Tom Gooch of Cuba Township address the wire issue.

Trustee Kolar stated that he received a request from a resident for the placement of a stop sign for eastbound traffic on Signal Hill Road at the intersection of Signal Hill and Biltmore Drive.

There was discussion among the Board about the procedure required to place a stop sign at an intersection. Trustee Boland stated that he is also interested in a traffic count at the intersection to determine the average speed.

Trustee Kolar stated that he would research the matter.

E. Trustee Pino

Trustee Pino reported that according to the activity report submitted by Village Building and Zoning Officer Kelly Rafferty, there are thirty-three (34) Building Permit Applications currently pending and three (3) Subdivision Petitions currently pending.

F. Trustee Weiner

Trustee Weiner updated the Board on the activities of the Environmental and Health Commission. Trustee Weiner noted that Gery Herrmann volunteered to attend the Flint Creek Watershed Partnership meeting in October and thanked him for his service.

President Sauer reminded the Board about the walk scheduled for November 17th to survey Flint Creek.

VIII. CLOSED SESSION: Motion: Trustee Boland moved a portion of the meeting be closed to the public, effective immediately as permitted by 5 ILCS 120/2(c)(5), to consider the acquisition of real property by the Village, or to consider the selling price of real estate and 5 ILCS 120/3(c)(11), to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal or which is probable or imminent and 5ILCS 120/2(c)(1) to discuss personnel; seconded by Trustee Kolar.

Vote on Motion

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

Absent: Trustee Farrell
Abstain: None

President Sauer declared the motion approved.

The Board went into closed session at 8:25 p.m.

IX. RECONVENE OF OPEN SESSION

President Sauer reconvened open session at 8:47 p.m.

The roll was called and the quorum re-established.

X. OLD BUSINESS

There was no old business to discuss.

XI. NEW BUSINESS

Motion: Trustee Pino moved that the Village of North Barrington commit to the expenditure of \$50,000.00 to the joint efforts with other Villages and other bodies in opposing, and potentially litigating, the Canadian National Railway's proposal, after its acquisition of the Elgin, Joliet and Eastern Railway, to increase by several fold the number of freight trains on, and increase the number of tracks of, the existing right of way, with the Board to be kept fully informed as to expenditures; seconded by Trustee Boland.

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer, Trustees Boland, Contorno, Kolar, Pino and Weiner

Nays: None

Absent: Trustee Farrell

Abstain: None

President Sauer declared the motion approved.

XII. ADJOURNMENT

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

At 8:48 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held November 19, 2007.

Attest: _____
Kris Lennon, Deputy Village Clerk