

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
JANUARY 27, 2010 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

I. Call to Order and Roll Call

At 7:33 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, Das Gupta, Kolar, Pino
and Weiner

Absent: Trustee Koertner

Also Present: Kathy Nelander, Village Administrator
J.W. Braithwaite, Village Attorney
Kris Lennon, Deputy Village Clerk
Jane Farrell, 241 Indian Trail Road
Jackie Andrew, 610 Signal Hill Road
Bruce Kramper, 178 Pheasant Run Trail
Thomas W. Gooch, Cuba Township Highway Commissioner
M/M Kosta Papadimitriou, 132 Old Barrington Road
Ed Harris, Lake County Sherriff's Department,
1301 N. Milwaukee, Libertyville
Scott Gaschler, Wauconda Fire Dept., 109 W. Liberty Street, Wauconda

II. PUBLIC COMMENT

Mr. & Mrs. Kosta Papadimitriou, 132 Old Barrington Road, addressed the Board with their questions regarding the proposed ordinance amending Section 6-2-3 of the Village Code specifically, Section I paragraph "D". Mr. Papadimitriou stated that he would like the word "trespasser" to include animals. Mr. & Mrs. Papadimitriou have an electrical fence on their property for their dogs and they have concern about other animals trespassing on their property.

There was discussion among the Board about the definition of the word "trespasser". Village Attorney J.W. Braithwaite stated that the language could be revised within the ordinance to include a definition.

Mrs. Jane Farrell, 241 Indian Trail Road, addressed the Board to explain a multiple dog attack that occurred to a neighbor, neighbor's child, and dog as the neighbor picked up children from the school bus. Police, Animal Control and an ambulance were called to the scene as two dogs remained at large after attacking the neighbor's child and their dog near the entrance of a common drive. The owner of the dogs was issued two tickets by the Lake County Sheriff for the "dogs running at large". After the Village was notified of the attack, the Village authorized

Animal Control to pursue the prosecution of a “vicious” claim. The matter went to court and was unsuccessful, due in part, to the judge’s ruling relative to the Village Code; specifically, Chapter 2, Section 6-2-3 which states, “It shall be unlawful to permit any dangerous animal or any vicious animal of any kind to run at large within the Village”. The judge felt that the owner of the dogs did not “permit” the dogs to run at large as the owner had installed an electrical fence in the yard. Ms. Farrell requested that the Village re-examine the language within the Village Code in order to ensure the safety of its residents against vicious animals. Ms. Farrell noted that she’d provide input relative to the proposed ordinance. Ms. Farrell expressed her appreciation to the Village for their concern and efforts relating to the matter.

III. CONSENT AGENDA

Items:

- A. Approve Minutes of the Village Board Meeting – 12/16/09**
- D. Approve Wynstone request for Fireworks Display on Sunday, July 4th, 2010**

were removed from the Consent Agenda for discussion.

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

- B. Approve 1/27/10 Vouchers for payment of bills**
- C. Approve the Treasurer’s Report for the 8th month of Fiscal Year 2010**

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

Items removed from the Consent Agenda for further discussion:

- A. Approve Minutes of Board Meeting – 12/16/09**

Trustee Kolar stated that he would like to abstain from voting on consent agenda item “A”.

Motion: Trustee Weiner moved to approve the Minutes of the 12/16/09 Board meeting; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

D. Approve Wynstone request for Fireworks Display on Sunday, July 4th, 2010

Trustee Boland stated that he would recommend approval of the Fireworks Display subject to the submittal of a certificate of insurance form reviewed and approved by the Village Attorney.

Motion: Trustee Boland moved to approve the Wynstone Golf Club's request for a Fireworks Display on July 4, 2010 subject to the submittal of a certificate of insurance reviewed and approved by the Village Attorney; seconded by Trustee Weiner.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved

IV. ORDINANCES/CODE AMENDMENTS

A. Consideration of Ordinance # _____ Amending Village Code Title 6, Chapter 2, Animals

Village Attorney J.W. Braithwaite suggested that the matter be tabled by reason of the meeting's public comments and Board review.

Kosta Papadimitriou, 132 Old Barrington Road, asked the Board if there were any Village ordinances requiring signs for dogs. Village Attorney J.W. Braithwaite stated that the most common warning sign is a "Beware of Dogs" sign that an owner would place on his property indicating the presence of dogs.

Motion: Trustee Pino moved that the Board table the matter of the proposed ordinance amending the Village Code Title 6, Chapter 2, Animals; seconded by Trustee Das Gupta.

Discussion: There was some discussion.

Vote on Motion

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

Absent: Trustee Koertner
Abstain: None

President Sauer declared the motion tabled.

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 (Baxter & Woodman)**
- D. Health & Sanitation Report (Natalie Karney – Land Technology)**
- E. Environmental & Health Commission Meeting Minutes (1/5/10)**
- F. Parks & Recreation Commission Meeting Minutes (1/4/10)**

Trustee Das Gupta inquired about a complaint that the Village received regarding the Biltmore Country Club Pool House addition found in the Building Department Report. Village Administrator Kathy Nelander stated that the matter was resolved.

VI. ADMINISTRATION – President Bruce Sauer

- A. Restoration Efforts at Eton Park**

President Sauer commented on the Eton Park Project, as well as the Project Summary provided by Nancy Schumm-Burgess, Barrington Area Conservation Trust. The Summary included Terrestrial Service Reports submitted by Integrated Lakes Management, Inc. and included before and after photographs of the restoration work. President Sauer noted that there are parcels adjacent to Eton Park which are in the process of being donated to the Village.

Trustee Das Gupta recommended that the Village create signs to place in the park to educate residents on buckthorn and explain the reason for its removal. President Sauer requested that Trustee Das Gupta work with Village Administrator Kathy Nelander and Nancy Schumm-Burgess.

There was brief discussion among the Board regarding the property located at the northwest corner of Route 22 and Route 59 and its posted real estate sign. It was noted that Nancy Schumm-Burgess, Barrington Area Conservation Trust, is in the process of making inquiries regarding the status of the property.

- B. Approve Water Quality Testing Proposal – Integrated Lakes Management**

President Sauer stated that the Integrated Lakes Management provided a proposal for water quality testing on Flint Creek. President Sauer noted that the information was submitted to the Board in order to open the topic up for discussion. President Sauer invited Environmental & Health (E&H) Commission Chairman Bruce Kramper to comment on the proposal.

E&H Chairman Bruce Kramper addressed the Board and stated that E&H Commission discussed water quality testing for Flint Creek in order to measure improvements and/or detect problems affecting water quality within the creek. The E&H discussed obtaining other bids as well.

President Sauer stated that a number of Lake County communities, including Lake Zurich, are seeking to tap into Lake Michigan in order to replace well water by means of a pipeline. President Sauer noted the importance of the research being conducted by the Barrington Area Council of Governments regarding ground water recharge.

There was discussion among the Board members about the Village establishing a dialogue with Lake Zurich as to the possibility of tapping into their water source. President Sauer stated that he would contact the Lake Zurich Village Administrator.

VII. REPORTS BY BOARD OF TRUSTEES

A. Trustee Edmund "Pete" Boland

Trustee Boland had nothing to report.

B. Trustee Ginger Das Gupta

1. Transfer Bills from Trust and Agency Account of 2009 Fall Festival to the Parks Budget for Payment

Trustee Das Gupta stated that she did not receive the information in her packet materials and requested that the matter be continued to the February Board meeting.

Trustee Das Gupta had nothing further to report.

C. Trustee Camille Koertner

Trustee Koertner was absent.

D. Trustee Mark Kolar

Trustee Kolar had nothing to report.

E. Trustee Al Pino

Trustee Pino reported on the activity of the remaining 2009 Village Road Program.

F. Trustee Lawrence “Lawre” Weiner

Trustee Weiner reported that the Zoning Board of Appeals will meet on 2/9/10 to consider a zoning variation. Trustee Weiner had nothing further to report.

VIII. CLOSED SESSION

There was no closed session.

IX. NEW BUSINESS

President Sauer explained that there is a semi-emergency road situation and requested that Thomas W. Gooch, Highway Commissioner of the Cuba Township Road District address the Board.

Commissioner Gooch addressed the Board and submitted photographs and a Memorandum dated 1/27/2010 provided by Gewalt Hamilton Associates, Inc. (Gewalt) pertaining to the Rugby Road Culvert Evaluation. Commissioner Gooch explained that the culverts are located approximately 400 feet east of Kimberly Road and serve the north branch of Flint Creek. There is a noticeable dip on the north edge of the pavement and a minor dip on the south side of the pavement. The culvert on the eastern side is flowing freely however; the western culvert has accumulated silt which has reduced the flow capacity. Commissioner Gooch explained that due to the time of year, construction repairs are limited; immediate action includes reducing the pavement to one lane by installing jersey barriers and plastic rain barrels filled with water as well as, placing stop signs on both side of the culvert. Weekly evaluations will be performed until weather conditions permit further evaluation and repair.

President Sauer agreed with Commissioner Gooch and stated that it would be in the Village’s best interest to follow the recommendation as submitted.

Trustee Das Gupta stated that area residents should be notified of the issue. It was noted that area schools as well as, the Fire and Police Departments would be notified.

Commissioner Gooch mentioned that the initial repair would cost approximately \$2,000.00.

President Sauer thanked Commissioner Gooch for his time and efforts.

Motion: Trustee Pino moved that the Board approve implementation of the actions as outlined in the Gewalt Hamilton Associates, Inc. Memorandum dated 1/27/10 relative to the Rugby Road Culvert Evaluation and that Thomas W. Gooch, Highway Commissioner of Cuba Township Road District be authorized to undertake those actions subject to reporting to the Village President and Village Administrator; seconded by Trustee Boland:

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

Commissioner Gooch added that the Federal Government is mandating that local governments create and maintain a sign inventory by the year 2012; he would like to give a presentation at the February Board Meeting.

President Sauer stated that he received a complaint from a resident about coyotes killing deer and cats. Subsequently, he contacted Chris Anchor, Chief Biologist for the Forest Preserve District of Cook County. Mr. Anchor provided a few facts about coyotes including:

- 1) There has never been a recorded attack on any child or person older than the age of six years.
- 2) All attacks have been related to families or an environment in which food has been made available to the coyotes.
- 3) Dogs are not considered to be food however; dogs should have a doghouse they can escape into in the event of an attack.
- 4) If a resident puts out birdseed, only put out seed that will be consumed during daylight.
- 5) The transfer of coyotes to an alternative location is ineffective as they return to original location.

Jackie Andrew, 610 Signal Hill Road, addressed the Board and asked if the information would be made available for residents in the Village newsletter and Village website. Village Administrator Kathy Nelander stated that she would provide the information as requested.

X. OLD BUSINESS

There was no old business to discuss.

XI. ADJOURNMENT

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

At 8:30 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held February 24, 2010.

Attest: _____
Kris Lennon, Deputy Village Clerk