

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
OCTOBER 28, 2009 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

I. Call to Order and Roll Call

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

Present in Person: President Sauer, Trustees Boland, Das Gupta, Koertner, Kolar, Pino and Weiner
Absent: None
Also Present: Kathy Nelander, Village Administrator
J.W. Braithwaite, Village Attorney
Susan Allman, Village Forester
Kris Lennon, Deputy Village Clerk
Nancy Schumm-Burgess, Barrington Area Conservation Trust
Ed Harris, Lake County Sherriff's Department,
1301 N. Milwaukee, Libertyville
Scott Gaschler, Wauconda Fire Dept., 109 W. Liberty Street, Wauconda
Bruce Kramper, 178 Pheasant Run Trail
Jackie Andrew, 610 Signal Hill Road
Sandy McAninch, 205 N. Clover Hill Road
Mark Brodzeller, 9715 Stonecastle Lane, Lakewood
Diane E. Winter, 19th Judicial Circuit Court Judge of Lake County

II. PUBLIC COMMENT

Jackie Andrew, 610 Signal Hill Road, addressed the Board and explained that she is seeking a zoning variation in order to install driveway entry gates in the front yard of her property. She plans to attend the Zoning Board of Appeals meeting in November however is unable to attend the Village Board meeting. Ms. Andrew explained her reasons for the request including safety concerns and noted that there are other residents within the Village who have front entry driveway gates.

III. CONSENT AGENDA

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

- A. Motion to approve Minutes of Village Board Meeting, – 9/30/09**
- B. Motion to approve 10/28/09 Vouchers for payment of bills**
- C. Motion to approve the Treasurer's Report for the 5th month of Fiscal Year 2010**

D. Motion to renew Solicitor Permit - Mr. Jerome Callaghan, Edward Jones, 111 S. Rand Road, Lake Zurich

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

IV. ORDINANCES/ CODE AMENDMENTS

A. Consideration of Ordinance # 1170, Code Amendment - Heritage Tree Ordinance establishing regulations controlling the removal of and the preservation of Heritage Trees within the Village (Tabled at last meeting)

The proposed Heritage Tree Ordinance was made available to the Board in their packet materials. President Sauer explained that the matter was previously tabled at the September Board meeting.

Motion: Trustee Kolar moved to remove from the table consideration of Ordinance # 1170, Code Amendment - Heritage Tree Ordinance; seconded by Trustee Koertner:

Discussion: There was no discussion.

Vote on Motion

By Voice Call: The voice vote was unanimous in favor.

President Sauer declared the motion approved.

President Sauer asked the Board if they had any questions.

Trustee Das Gupta had a few questions regarding the language within the proposed Ordinance.

Revisions were discussed among the Board. The Deputy Village Clerk documented the revisions to the proposed Ordinance.

Motion: Trustee Weiner moved to adopt Ordinance # 1170 as amended; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer Trustees Boland, Das Gupta, Koertner, Kolar, Pino and Weiner

Nays: None
Absent: None
Abstain: None

President Sauer declared the motion approved.

B. Resolution # 2542 Providing for President Pro-Tem

The Resolution was made available to the Board in their packet materials.

President Sauer explained that the Village Code provides for the election by the Board of Trustees of a President Pro Tem to act for the President in the event of a temporary absence from the Village or incapacity of the President. President Sauer recommended Trustee Al Pino as the President Pro Tem.

Motion: Trustee Boland moved to approve Resolution # 2542 naming Trustee Al Pino as the President Pro Tem; seconded by Trustee Weiner.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

**C. Ordinance # 1171 Zoning Variation Request, 205 Clover Hill Lane
The following variation is requested in the petition submitted by Mr. Richard Webster (Property Owner) and Ms. Sandy McAnich (Contract Purchaser), 205 Clover Hill Lane, North Barrington, IL 60010:**

The Ordinance was made available to the Board in their packet materials. President Sauer explained the variance to the code requested by Mr. Richard Webster (Property Owner) and Ms. Sandy McAnich (Contract Purchaser).

ZONING VARIATION NEEDED:

Section 10-11-2(B): Except as otherwise permitted or required by this chapter or by this code, no fence shall be more than forty two inches (42") in height at any point.

The proposed fencing is fifty-four inches (54") in height.

President Sauer invited Zoning Board of Appeals Chairman, Warren Nass to address the Board. Chairman Nass stated that the Zoning Board of Appeals (ZBA) on 10/13/09, recommended approval of petitioner's variation request. Chairman Nass stated that the proposed fence is located in the back of the property; the height of the fence meets regulation standards for horses; the fence will be constructed with four-board fencing using rough cut oak. Chairman Nass noted that there were no objections from neighbors and; there are other horse fences located within the Village.

Trustee Kolar asked about the height of the horse fence located at Grassmere Farms. It was noted that the height of the fence located at Grassmere Farms is approximately fifty-two and one-half inches (52 1/2").

Motion: Trustee Weiner moved to adopt Ordinance # 1171; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

**D. Ordinance # 1172 Special Use Ordinance, 115 Clover Hill Lane
Consider request from Education Centers Associated, Inc. for a special use permit
for the continued operation of the Montessori Children's House of North
Barrington, a Montessori School, on the property commonly known as: 115 Clover
Hill Lane, North Barrington, IL 60010.**

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

President Sauer explained the petition for the special use permit. Notice was duly published as required by law. It was noted that the school's septic tank will continue to be pumped annually. A water meter will be installed and; the total number of children shall not exceed 125 in any one day.

Motion: Trustee Weiner moved to adopt Ordinance # 1172; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

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. Parks & Recreation Commission Meeting Minutes (10/19/09)**
- F. Plan Commission Meeting Minutes (10/12/09)**
- G. Zoning Board of Appeals Meeting Minutes (10/13/09)**

VI. ADMINISTRATION – President Bruce Sauer

- A. Consideration of Intergovernmental Agreement for Cooperative Roadside Maintenance, Snow and Ice Control and other Services between the Township of Cuba Highway District and the Village of North Barrington**

The proposed contract was submitted to the Board.

There was brief discussion.

Motion: Trustee Weiner moved to approve the Intergovernmental Agreement for Cooperative Roadside Maintenance, Snow and Ice Control and other Services between the Township of Cuba Highway District and the Village of North Barrington; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

President Sauer invited the Honorable Judge Diane E. Winter of the 19th Judicial Circuit Court of Lake County to address the Board. Judge Winter addressed the Board and explained that the county is now divided into six judicial circuits called “subcircuits” due to legislation being passed in early July. Judges now run for election in particular subcircuits. North Barrington is in the 5th sub-circuit. Judge Winter stated that she be running as a resident Judge from the 5th

subcircuit and requested the Village to encourage its residents to vote. She thanked the Board for the opportunity to introduce herself.

President Sauer thanked Judge Winter and noted that Judge Winter lives in Lake Barrington.

VII. REPORTS BY BOARD OF TRUSTEES

A. Trustee Edmund “Pete” Boland

Trustee Boland had nothing to report.

B. Trustee Ginger Das Gupta

Trustee Das Gupta reported on the activities of the Barrington Area Council of Governments Executive Board meeting held in October.

Trustee Das Gupta reported that the Fall Festival was a success and thanked all of the volunteers including the Parks & Recreation (P&R) Commission Vice Chairman Ann Kafka and P&R Commission member Jane Farrell.

C. Trustee Camille Koertner

Trustee Koertner reported on the activities of the Solid Waste Agency of Lake County (SWALCO) Board of Directors’ meeting held in October. It was noted that the consortium members negotiated a contract with its hauler Waste Management. There will be a 5% rate increase effective September 1, 2010 with the new contract extension and future rate increases will be pegged the Consumer Price Index but will be capped at 3% per year. The matter will be scheduled for the November Board meeting and a vote will be taken at that time.

1. Clearing Proposals – Eton Park

Trustee Koertner requested that Nancy Schumm-Burgess, Executive Director of the Barrington Area Conservation Trust (BACTrust) address the Board to explain the clearing proposals for the Village property near Eton Park. Nancy Schumm-Burgess addressed the Board and explained that she obtained two additional proposals for the 2009-2010 Invasive Woody Species Removal and Maintenance, Eton Park. A proposal was initially submitted by Tallgrass Restoration, LLC (Tallgrass) in the amount of \$65,500. Integrated Lake Management, Inc. (ILM) subsequently submitted a proposal in the amount of \$30,400 and Applied Ecological Service, Inc (AES) submitted a proposal in the amount of \$28,000.

Trustee Weiner asked Ms. Schumm-Burgess for her recommendation. Ms. Schumm-Burgess recommended Integrated Lake Management, Inc. for the following reasons:

- Cost effective work

- Their report samples are clear and useful for both grant purposes and for the Board to clearly understand work involved and completed
- Ms. Schumm-Burgess believes that a cover crop could be negotiated to be included with the maintenance costs. Their maintenance is comprehensive vs. AES which only included re-sprout work.

There was discussion among the Board and Ms. Schumm-Burgess regarding the price discrepancy between Tallgrass and ILM.

Trustee Koertner explained that Tallgrass was informed of the alternate proposals however, were unable to provide a revised bid prior to the Board meeting. Trustee Koertner informed the Board that Tim Moritz, Sales Manager of Tallgrass notified her and explained that Tallgrass may not be able to meet the costs associated with the proposal submitted by ILM.

Ms. Schumm-Burgess noted that the clearing would begin during the dormant season, possibly December 2009.

There were a few questions from the Board addressed by Village Attorney J.W. Braithwaite and Ms. Schumm-Burgess.

It was noted that Ms. Schumm-Burgess would negotiate the costs of the cover crop to be included in the proposal submitted by ILM.

Motion: Trustee Weiner moved to approve the proposal as amended by the Board as submitted by Integrated Lakes Management, Inc. in the amount not to exceed \$30,400; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

2. Approve Watershed BMP Manual-Flint Creek

Ms. Schumm-Burgess explained that bids were received for the preparation of the Best Management Practices (BMP) manuals. Baxter & Woodman, Inc., Tallgrass Restoration, LLC and Entrex submitted bids however; Baxter & Woodman, Inc. was the only company that submitted an example of a manual in addition to their \$5,400 bid. Ms. Schumm-Burgess recommended Baxter & Woodman, Inc. for the project. It was noted that Ms. Schumm-Burgess

would add her suggestions to the manuals. Funds for the project would be distributed from the \$10,000 grant received for education.

Motion: Trustee Weiner moved to approve the proposal submitted by Baxter & Woodman, Inc. in the amount not to exceed \$5,400 for the preparation of the Best Management Practices manuals; seconded by Trustee Koertner.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

D. Trustee Mark Kolar

Trustee Kolar had nothing to report.

E. Trustee Al Pino

Trustee Pino reported that he will be attending a meeting with the Illinois Department of Transportation at the Village Hall on November 12th to discuss the Miller Road Project.

Trustee Pino reported that he will be drafting a letter to Cuba Township Highway Supervisor Tom Gooch to address the outstanding resident issues located at 450 Signal Hill Road and 301 Rustic Drive.

F. Trustee Lawrence “Lawre” Weiner

Trustee Weiner had nothing to report.

VIII. CLOSED SESSION

There was no closed session.

IX. NEW BUSINESS

There was no new business to discuss.

X. OLD BUSINESS

There was no new business to discuss.

XI. ADJOURNMENT

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

At 8:20 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held November 18, 2009.

Attest: _____

Kris Lennon, Deputy Village Clerk