

MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD MONDAY,
MARCH 15, 2004 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD

I. Call to Order and Roll Call

At 7:40 P.M. President Starkey called the Meeting to order. The Clerk led the Pledge of Allegiance, and then called the roll:

Present: President Starkey, Trustee Bartlett in person and Trustee Parker (via teleconferencing per Res. #1073A), Trustee Forman arriving at 7:45 p.m.

Absent: Trustees McEnroe and Peterson

Also Present: Kathy Nelander, Village Clerk

Judy Janus, Administrative Assistant

J.W. Braithwaite, Village Attorney

George Dyer, 239 Beachview Lane

Al Stefan, Baxter & Woodman

Robert Nelander, 237 Beachview Lane

Bobbie Svacha, Village Treasurer

Joe Arizzi, 109 W. Liberty, Wauconda Fire Department

Kelly Mazeski, 2434 Woodland Drive

Margaret & Anne Tripicchio, 241 Beachview Lane

Troy Oldham, Sergeant, Lake County Sheriff's Department

Fred & Kelly Hjertstedt, 494 North Hill Drive

Barbara Benson, N. Crown Road, Barrington

Patrick Potts, 75886 W. Scott Road, Barrington

Chris Nelson, Comcast Cable, 2001 York Road, Oak Brook

Dan Maloney, Comcast Cable, 2001 York Road, Oak Brook

II. Public Comment

There was no one in the audience who wished to speak.

III: Consent Agenda

President Starkey explained that there was not a Treasurer's Report this month due to the early date of the meeting, but the information would be available for next month's meeting.

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

A. Approve the Minutes of Board Meeting, February 23, 2004

- B. Approve the March 15, 2004 Vouchers for payment of bills
- C. Arbor Day Proclamation

Discussion: There was no discussion.

Vote on Motion

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

President Starkey declared the motion approved.

IV. Appointments/Resignations

A. Recognition of former Trustee Fred Hjertstedt

President Starkey explained that Fred Hjertstedt had resigned from his position as Village Trustee in January, but that there had not been a chance to formally recognize him for his service to the Village. President Starkey explained that former Trustee Hjertstedt had served the Village for the past seven years in various roles including serving as the Village's Fire Commissioner, Environmental Commission Member, Parks & Recreation member as well as Chairman, and Village Trustee. She invited Fred to come forward and accept a plaque which recognized his accomplishments, and thanked him for all his time spent with the Village. Fred Hjertstedt thanked the Board and audience, and said that it was an honor to work with the Village and the Board, and he welcomed the opportunity to serve the community.

B. Resolution #2300 appointing Kelly Mazeski to Board of Trustees

President Starkey stated that she had appointed Kelly Mazeski as Village Trustee and outlined the Resolution which had been made available to the Board in the Agenda packet. President Starkey referred to Ms. Mazeski's resume that was provided to the Trustees on their desktops. President Starkey explained that Kelly Mazeski has been a member of the Zoning Board of Appeals for the past 10 years, and asked the Board to consider her appointment to the Board of Trustees.

Motion: Trustee Bartlett moved to approve Resolution #2300 consenting to the President's appointment of Kelly Mazeski as Village Trustee; seconded by Trustee Forman.

Discussion: There was some discussion.

Vote on Motion

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

President Starkey declared Resolution #2300 approved and put on file. President Starkey welcomed Ms. Mazeski to the Board and asked that she come forward in order for the Clerk to administer the Oath of Office. The Clerk swore in Kelly Mazeski as Village Trustee, and Trustee Mazeski was seated with the Board.

V. Variations/Subdivisions/Code Amendments

A. Reconsideration of the denial of Ordinance #1021, Zoning Variation request for the property at 241 Beachview Lane, Mr. & Mrs. Frank Tripicchio

President Starkey explained that this topic had been tabled for a few months due to absences at the Board level as well as with the Tripicchios. President Starkey said that the Board was still short two members due to absences, and asked the Tripicchios if they would like to continue or wait until a full Board was present. Mrs. Tripicchio said that she would like to proceed with the topic.

Motion: Trustee Forman moved to remove from the table and reconsider the denial of passage of Ordinance #1021; seconded by Trustee Mazeski.

Discussion: There was some discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Starkey declared the motion approved and the matter removed from the table.

President Starkey explained that Mr. & Mrs. Tripicchio were asking for variances from the following sections of the zoning code:

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

The plans provide for a 21 foot extension of the garage with a three season room above which extended 18'10". The existing screened porch would be converted into an expanded master bedroom, and there would be an additional 396 square feet added to the home, and approximately 462 square feet added to the garage.

President Starkey asked if there was anyone in the audience who wished to address the Board.

George Dyer, 239 Beachview Lane, explained that he was the immediate neighbor to the east of the Tripicchios. Mr. Dyer explained that he had submitted computer illustrations which show how the proposed changes to the Tripicchio's home would block a current, uninterrupted view to the west from his front door/porch area. Mr. Dyer said that he felt Mr. Tripicchio knew the limitations of the garage when he purchased the home, and that a permanent expansion of the building to meet a temporary family situation seemed disproportionate. He asked that the Board deny the variance request.

Robert Nelander, 237 Beachview Lane, explained that he lived two doors down from the Tripicchios, and that he objected to the proposed addition. His concerns included the size of the addition on a small lot, that he did not feel that a hardship had been demonstrated in order to warrant the variances and that he supported the concerns of Mr. Dyer about the loss of his view.

President Starkey invited Mrs. Tripicchio to address the Board about the variance request. Mrs. Tripicchio explained that the addition wasn't as much about the additional garage space, but to increase the flow of the home. She explained that access to the current screened porch was through a bedroom, but with the addition of the screened porch above the new garage, access would be across an outside porch. There were questions from the Board and further discussion.

Motion: Trustee Parker moved to adopt Ordinance #1021 allowing Mr. & Mrs. Frank Tripicchio to construct a two story addition to the home at 241 Beachview Lane using the preliminary architectural plans prepared by Amzor Architects, Inc., last revised October 20, 2003 and that final architectural drawing would be required for permitting purposes; seconded by Trustee Bartlett.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Bartlett, Forman, Mazeski and Parker
	Nays:	None
	Absent:	Trustees McEnroe and Peterson
	Abstain:	None

President Starkey declared Ordinance #1021 approved and put on file. President Starkey

thanked the Tripicchios and the neighbors for their patience and comments regarding this matter.

VI. COMMISSION AND STAFF REPORTS

President Starkey stated 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 (3-8-04)

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

E. Environmental & Health Commission Meeting Minutes from (2-26-04)

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

F. Parks Commission Minutes (3-1-04)

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

VII. ADMINISTRATION

A. CUSD 220 property near Route 59 and Scott Roads

President Starkey introduced Barbara Benson and Patrick Potts to the Board as representatives from BRUSA, an organization opposed to the proposed property purchase by District 220. Barbara Benson addressed the Board and said that she was speaking to bring awareness to what they felt was an erroneous direction taken by the District 220 School Board. She explained that BRUSA stands for Barrington Residents Unified for School Alternatives. She explained that their group was trying to work with the School District to identify alternative sites for the District's

expansion. She noted that most of the population growth is in the south and the east portions of the District, and it did not make sense to target the northern area of the District for this expansion. Ms. Benson also explained the many downfalls to the property located on Old Barrington Road between Route 22 and Cuba Road, including the high cost of the property, the small buildable area, inadequate roads, the lack of a sewage system, well water usage would lower the existing aquifer, 16.4 acres of the 65 acre property is considered wetlands, and the site is currently zoned five acre in a residential area of unincorporated Lake County.

Patrick Potts addressed the Board and said that the School District was trying to purchase or acquire the property by eminent domain and further explained the ramifications of the project. He explained that Cuba Township had passed a resolution opposing the Barrington Community School District's purchase of the property and encouraged North Barrington to do the same. There were some questions from the Board.

President Starkey thanked Ms. Benson and Mr. Potts for their comments. The Board agreed that a resolution should be considered by the Board for a vote at next month's meeting. President Starkey asked that any comments regarding the content of the resolution be forwarded to her.

B. President's Report

C. Barrington/North Barrington Intergovernmental Agreement (tabled)

President Starkey said that the topic would remain tabled.

D. Motion to adopt BACOG 2004 Legislative Platform

President Starkey explained that the Board had discussed BACOG's 2004 Legislative Platform at the February Board meeting, and had approved the platform in principle due to the item not being included on the Agenda. President Starkey said that the platform had not changed since the earlier review, and briefly outlined the nine items on BACOG's 2004 Legislative Platform. There was further discussion.

Motion: Trustee Forman moved to support BACOG's 2004 Legislative Platform; seconded by Trustee Bartlett.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Bartlett, Forman, Mazeski and Parker
	Nays:	None
	Absent:	Trustees McEnroe and Peterson
	Abstain:	None

President Starkey declared the motion approved.

E. Authorize Village President to execute documents and \$400 to upgrade to new version of BAGIS software

President Starkey explained that there was an annual service agreement for the ArcView GIS software of \$400 per Village, and that the fee not only included technical assistance, but any software upgrades. President Starkey explained that the BACOG GIS Committee recommended that the BAGIS policy include that the agreements be maintained and the cost be incorporated in BAGIS annual budgeting by BACOG, eliminating the need for each Village to budget separately for this item in the future. President Starkey also noted that BACOG rebated the 2004, as well as the 2003 service agreement, to each Village. President Starkey explained that an ongoing commitment to the service agreement, by all villages, will ensure service, consistency and that the villages maintain software at a low cost.

Motion: Trustee Forman moved to authorize the Village President to execute the documents for the ArcView GIS software and the expenditure of \$400 for the annual service agreement; seconded by Trustee Bartlett.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Bartlett, Forman, Mazeski and Parker, President Starkey
	Nays:	None
	Absent:	Trustees McEnroe and Peterson
	Abstain:	None

President Starkey declared the motion approved.

F. Salvation Army Request

President Starkey noted the letter from the Salvation Army requesting permission to conduct their two annual fund raisers, Donut Day, and Christmas Kettles, in North Barrington. President Starkey explained that the Village receives these requests yearly, and has, in the past, given permission for the Donut Day collection, with the collection site being located at the intersection of Routes 22 and 59. President Starkey explained that the Christmas Kettle program is not feasible as there are no commercial areas in the Village to place a kettle.

Motion: Trustee Mazeski moved to approve the Salvation Army's request to conduct the Donut Day fundraising program on June 4 and 5, 2004 at the intersection of Routes 22 and 59; seconded by Trustee Forman.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Bartlett, Forman, Mazeski and Parker
	Nays:	None
	Absent:	Trustees McEnroe and Peterson

Abstain: None

President Starkey declared the motion approved.

G. Run Through the Woods Race Director

President Starkey explained that the Parks & Recreation Commission was asking the Board for direction regarding a race director for this year's Run Through the Woods. President Starkey said that the Commission had a candidate for the director position, but the Commission had questions about compensation. President Starkey explained that last year a Race Director was needed to organize the event and was paid approximately \$2000. The candidate for this year's race director position, a North Barrington resident, was asking for \$1000 in compensation, and if the race were profitable, a small percentage of any profit.

Trustee Bartlett said that the Board decided last year to pay a race director, on a one time basis. Trustee Bartlett questioned why the Village would pay a for a race director to run a race whose main draw has been non-residents. Trustee Forman said that she agreed and did not feel comfortable paying a race director. Trustee Mazeski suggested hiring a professional to run the race if a profit was the goal. President Starkey explained that the Board had suggested to the Commission a few months prior, to run the race one more year to gauge the turnout. Trustee Parker said that he felt that the role of government was to provide activities for the community, and the Parks & Recreation Commission was providing these various programs. Trustee Parker said that he would like to see the race director as a volunteer position, but if a volunteer was not available, there was no other option but to pay a race director. There was lengthy discussion. President Starkey said that she would like to discuss the matter further, with a full Board present, as well as with representatives from the Parks and Recreation Commission, at the April Board meeting.

Motion: Trustee Parker moved to authorize payment to a race director for the 2004 Run Through the Woods, a minimum base of \$1000, but not to exceed \$2000; there was no second.

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

H. Authorize Environmental & Health Commission expenditure of not to exceed \$5000 for costs pertaining to Earth/Arbor Day event on 4/25/04

President Starkey explained that the Board authorized, in principle, the expenditure of not to exceed \$5000 for costs pertaining to the Arbor/Earth Day Event scheduled for April 25, 2004, at the February Board Meeting. President Starkey explained that the motion was made in principle as the topic was not listed on the agenda. Trustee Bartlett said that she felt that \$5000 was a large amount to spend on the clean up event, and had not seen a breakdown of the costs delineating how the money was to be spent. Trustee Bartlett said that she would like to see an organized clean up event, but did not feel that the event warranted the extra costs for items

such as t-shirts. President Starkey said that the Board discussed the event at the February Board meeting and did feel that the quoted costs were high and were hoping the event would cost less, but the Board wanted the event to proceed and were giving the Commission some leeway with the costs.

Motion: Trustee Parker moved to authorize the expenditure of not to exceed \$5000 for costs pertaining to the Arbor/Earth Day Event scheduled for April 25, 2004; seconded by Trustee Forman.

Discussion: There was some discussion.

Vote on Motion

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

President Starkey declared the motion approved.

I. Ethics Ordinance (tabled)

The topic remained tabled.

J. Comcast Cable Agreement (tabled)

President Starkey explained that Trustee Parker and Village Attorney Braithwaite had worked on the Franchise Agreement with the Comcast representatives, and invited Trustee Parker to explain the proposed agreement. Trustee Parker welcomed Comcast representatives Dan Maloney and Chris Nelson to the meeting, and thanked them, as well as Village Attorney Braithwaite, for all their work regarding the proposed agreement. Trustee Parker explained that he wanted to point out to the Board, what he felt were four highlights in the agreement. He explained that the definition for Gross Revenue included, but was not limited to, monthly service fees, installation fees, advertising and home shopping revenue and equipment rental fees. Trustee Parker also noted that the duration of the franchise agreement was for seven years, which was a compromise between the Village which wanted a shorter agreement, and Comcast who wanted a longer agreement. Trustee Parker also said that Comcast volunteered to provide and maintain one basic video service connection to the North Barrington School as well as the Village Office. Trustee Parker said, that although not in the Agreement, Comcast has agreed, via letter, to provide high speed, internet access to the Village Office at no charge.

President Starkey said that the Village has received complaints from North Barrington residents who live on Scott Road, who have said that they have not been able to get cable access.

Chris Nelson, Manager of Government Affairs for Comcast, said that he would have to research the issue and report back. Village Attorney Braithwaite suggested that Mr. Nelson write a letter

to the Village outlining his findings. There were also some questions about restoration issues in the Village. Mr. Nelson said that restoration of all outstanding matters should be resolved by May 1, 2004.

Motion: Trustee Parker moved to accept the Comcast Cable Television Franchise Agreement as presented; seconded by Trustee Forman.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Bartlett, Forman, Mazeski and Parker
	Nays:	None
	Absent:	Trustees McEnroe and Peterson
	Abstain:	None

President Starkey declared the motion approved by the Board. President Starkey thanked Trustee Parker, Village Attorney Braithwaite, and the Comcast representatives for all their work on the Agreement.

VIII. Reports by Board of Trustees

A. Trustee Craig Parker

B. Trustee Kimberly Forman

Trustee Forman said that she was working with the Fire Department trying to lock in a date for the annual Open House.

C. Trustee Dave Peterson

Trustee Peterson was absent.

D. Trustee Jack McEnroe

Trustee McEnroe was absent.

E. Trustee Sidney Bartlett

Trustee Bartlett reported that the Plan Commission was continuing to work on a tear down ordinance.

IX. CLOSED SESSION.

The Board did not go into Closed Session.

X. OLD BUSINESS

There was no old business to discuss.

XI. NEW BUSINESS

President Starkey reported that the BACOG monthly meeting would be held at the North Barrington Village Hall on March 16, 2004 at 7:30 p.m. and invited the Board to attend. Village Attorney Braithwaite explained that the entire Barrington area is what it is today largely because of BACOG and the individual members, and encouraged all Board members not familiar with the organization to attend the meeting. President Starkey also reported that the Village's Finance Committee would be meeting in the next few weeks to discuss and develop the draft budget which would be considered by the Board in April.

XII. ADJOURNMENT

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

The voice vote was unanimous in favor.

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

These Minutes were approved by the Board at a meeting held April 26, 2004.

Attest: _____

Kathy Nelander, Village Clerk

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