

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
FEBRUARY 27, 2008 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

I. Call to Order and Roll Call

At 7:35 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, Farrell, 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
Ed Harris, Lake County Sherriff's Department
Joe Arizzi, Wauconda Fire Department
Tony A. Solano, Barrington Courier
Bruce Kramper, 178 Pheasant Run Trail
Gery Herrmann, 257 Kimberly Road

II. Public Comment

President Sauer invited Bruce Kramper, 178 Pheasant Run Trail to address the Board. Mr. Kramper asked if the Village had information available regarding the Canadian National Railway's (CN) plan to purchase the Elgin, Joliet and Eastern Railway (EJ&E). President Sauer stated that information is available on the Village website at www.northbarrington.org and includes a related link, <http://www.fightrailcongestion.com>, pertaining to the Barrington area coalition.

Mr. Kramper further stated that he has been receiving inquiries about the approved leaf burning ordinance adopted at the December 2007 Board meeting. He stated that he would like copies of the ordinance in order to provide it to Village residents and asked if the ordinance would be made public.

Village Administrator Kathy Nelander stated that the ordinance is awaiting signatures and upon execution, it will be made available on the Village website and in the spring newsletter.

III. Consent Agenda

Items:

A. Approve Minutes of Board Meeting – 1/23/08

D. Approve motion to allow the Village Engineer to approve the Plat of Stormwater Management Easement on Wynstone Lots A-8 and A-9

were removed from the Consent Agenda for discussion.

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

- B. Approve the 2/27/08 Vouchers for payment of bills**
- C. Approve the Treasurer's Report for the 9th month of Fiscal Year 2008**
- E. Approve Resolution # 2475 (MFT Funds) for Maintenance of Streets & Highways**

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

Items removed from the Consent Agenda for further discussion:

A. Approve Minutes of Board Meeting – 1/23/08

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

Motion: Trustee Weiner moved to approve the Minutes of the 1/23/08 Board meeting; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

D. Approve motion to allow the Village Engineer approve the Plat of Stormwater Management Easement on Wynstone Lots A-8 and A-9

Trustee Farrell requested further information pertaining to the motion.

President Sauer explained that Wynstone has two properties being developed on existing Lots

A-8 and A-9. Grading is required on a small amount of floodplain storage. In order to meet requirements of the Watershed Development Ordinance, the applicant is required to provide a stormwater management easement over the entire floodplain area. The easement will provide permanent protection of the floodplain area by restricting future impacts to the area.

Motion: Trustee Pino moved to grant permission for the Village Engineer to approve the Plat of Stormwater Management Easement on Wynstone Lots A-8 and A-9; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

IV. CODE AMENDMENTS/LEASE AGREEMENT

A. Ordinance # 1134, Amending Village Code, Title 5, Chapter 3, Trees Village Code Amendment requiring additional requirements for construction and tree replacement

The Ordinance had been made available to the Board in their packet materials. The Village Forester has recommended that the tree removal/tree replacement provisions of the Village Code as applicable to the trees removed during the construction of the property, be strengthened. The Village Code currently provides for one \$500.00 deposit to assure compliance with the requirement that trees be replaced, regardless of the number of trees removed. The proposed amendment provides for a deposit of cash or letter of credit in an amount based upon \$200.00 per diameter at breast height (DBH) inch of trees to be removed.

President Sauer invited Susan Allman, Village Forester to address the Board.

Ms. Allman stated that some residents and developers have not been replacing the trees that have been removed during construction and do not seem to be concerned with recovering the \$500.00 deposit. Ms. Allman noted that it is important for the Village to maintain its character by preserving its many trees. The amendment will hopefully gain the cooperation of residents to replace the trees removed during construction.

President Sauer stated that he supports the amendment and added that the \$500.00 deposit has not been enough motivation for residents to replace the removed trees.

Trustee Farrell noted her concerns for those residents who may purchase a property, or construct an addition, and subsequently do not have the money or cash available to replace the number of trees removed during construction.

Ms. Allman replied that most residents who construct additions remove one or two trees at a time however; the number of trees removed depends on the lot size. The amendment includes that the deposit be refunded one (1) year after each replacement tree is planted following certification, by the Village Forester and verification that the replacement tree is healthy and; that there are no uncured violations.

Trustee Pino inquired about DBH. Ms. Allman explained that trees with a DBH six (6) inches or larger will require a deposit, however, trees having a DBH less than six (6) inches will be exempt from the ordinance.

Trustee Boland verified that the amendment to the ordinance will now cost residents a minimum deposit of \$1,200.00.

Gery Herrmann, 257 Kimberly Road, Chairman of the Environmental and Health (E&H) Commission, addressed the Board and suggested that the refund of the deposit be extended from one (1) year to twenty-four (24) months due to prior instances of replacement trees being planted and dying after one (1) year as a result of not being properly protected.

Trustee Pino suggested amending the proposed ordinance to extend the refund of the deposit from one (1) year to twenty-four (24) months from the time of planting the replacement trees.

There was further discussion among the Board about the extension of time for the refund and consensus in favor of the amendment.

Motion: Trustee Pino moved to approve Ordinance #1134 as amended; seconded by Trustee Boland.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Farrell, Kolar, Pino, and Weiner
Nays: None
Absent: 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 2/4/08**
- F. Environmental & Health Commission Meeting Minutes 2/5/08**
- G. Plan Commission Meeting Minutes 2/11/08**

VI. ADMINISTRATION – President Bruce Sauer

A. EJ&E Update

President Sauer stated that the Barrington area coalition has decided to officially oppose the CN's acquisition of the EJ&E. The coalition members are planning to sponsor an open Mayor's meeting to inform and gain the support of communities who are unaware or may be affected by the acquisition. The coalition is also trying to gain the support of the U.S. Senators and Representatives.

President Sauer stated that he attended a Lake Zurich public meeting held by the Surface Transportation Board in February and noted that all of the residents he spoke with were opposed to the acquisition.

President Sauer explained that he is adamantly opposed to the acquisition and encouraged residents to participate in the prevention of the acquisition.

B. Budget Meeting Update

President Sauer stated that the Finance Committee will be meeting 3/4/08 at 3:00 p.m. to review the budget for the upcoming Fiscal Year 2009. It was noted that any changes or requests should be submitted to Village Administrator Kathy Nelander prior to 3/4/08.

C. Ratify Appointment of Camille Koertner as Village Trustee (filling the un-expired term of Richard Contorno)

President Sauer appointed Camille Koertner, 58 S. Wynstone, as Village Trustee, filling the un-expired term of Richard Contorno at the January Board meeting.

Trustee Weiner inquired about the procedure of the ratification which was addressed by Village Attorney J. W. Braithwaite.

Trustee Weiner stated that he wanted to see more applicants from the community come forward and felt there was no public solicitation for the vacant seat. He noted for the record that it had nothing to do Ms. Koertner's qualifications, however, wanted to encourage other residents who have served in the community to come forward.

Trustee Farrell noted that area newspapers, including the Dailey Herald and the Barrington Courier, announced the resignation of Trustee Contorno as well as, the appointment of Ms. Koertner and that no one came forward to apply during that time.

There was further discussion among the Board.

Trustee Pino suggested that Ms. Koertner be invited to address the Board. Trustee Boland agreed and moved to table the matter until the March Board meeting. Trustee Pino seconded the motion.

President Sauer stated that he did not agree with having Ms. Koertner appear before the Board in a question and answer type session; Ms. Koertner has been involved within the community and served on the Plan Commission. President Sauer feels that she is the best candidate for the vacant position which expires in thirteen (13) months.

Trustees Boland withdrew his motion to table the matter until the March Board meeting, subject to consent of Trustee Pino withdrawing his response to seconding the motion. Trustee Pino agreed.

Motion: Trustee Pino moved to ratify the appointment of Camille Koertner as Trustee; seconded by Trustee Farrell.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Farrell, Kolar, and Pino

Nays: Trustee Weiner

Absent: None

President Sauer declared the motion approved.

D. Conservation Maintenance Ordinance Discussion

President Sauer stated that he attended the Flint Creek Watershed Partnership meeting on 2/25/08. Members of the Flint Creek Watershed Partnership were impressed, thus far, with the Village's efforts to clean up the Flint Creek. Due to the creek being on private property, the Village must create some kind of conservation maintenance ordinance in order to access the property and initiate clean up efforts.

President Sauer explained that he spoke with Trustee Farrell about having the Plan Commission research various municipalities within the area to see if there are any appropriate ordinances. He would also like to create an ordinance for residents to view prior to initiating the clean up and subsequently, pass an ordinance subject to legal review.

It was noted that the Flint Creek Watershed Partnership as well as, the Barrington Area Conservation Trust will be involved in the assessment and grant application process for Flint Creek. Grants are available though projects submitted are subject to approval.

E. Flint Creek Water Testing Discussion

President Sauer stated that he would like to test the water quality of Flint Creek and include two test stations. The first test station would be located where the water enters Flint Creek within the N. Barrington jurisdiction and the second test station would be located where the water departs. The purpose is to analyze the quality of water as it enters Flint Creek with the quality of water departing Flint Creek. It was noted that the tests will be performed by Illinois Environmental Protection Agency standards in order to obtain a standard measure.

President Sauer requested that Trustee Weiner research hydrologic engineer companies. Trustee Weiner affirmed.

F. Resident Request to use Village Hall Parking Lot

President Sauer explained that Mr. & Mrs. Sunil Kadakia, 212 N. Signal Hill Road, would like permission to use the Village Hall parking lot on Saturday, March 1, 2008. Normally, the residents have enough room for parking however due to snow they may need extra space for approximately 15-20 cars.

Village Administrator Kathy Nelander has requested a Certificate of Liability Insurance naming the Village as an additional insured and has provided a form of hold harmless agreement.

Motion: Trustee Boland moved to grant permission for Mr. & Mrs. Sunil Kadakia, 212 N. Signal Hill Road, to use the Village Hall parking lot, Saturday, March 1, 2008 subject to obtaining a Certificate of Liability Insurance and an indemnification and hold harmless from these residents prior to the scheduled event; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

VII. REPORTS BY BOARD OF TRUSTEES

A. Trustee Boland

Trustee Boland reported that the Parks and Recreation Commission's (P&R) budget required a motion to transfer funds in the amount of \$4,992.09 from the Trust & Agency Account of the 2007 Fall Festival to the P&R Commission budget. Trustee Boland explained that a Trust & Agency Account is set up to deposit monies collected for running the Fall Festival. Bills are then paid out of the P&R account. The Village received \$2,500.00 from State Bank and Trust and \$253.41 in food sales. Bills for the Fall Festival, totaling \$7,745.50, exceeded deposits leaving a deficit of \$4,992.09.

Motion: Trustee Weiner moved to transfer the funds in the amount of \$4,992.09 from the Trust & Agency Account of the 2007 Fall Festival to the Parks and Recreation Commission's account; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

B. Trustee Farrell

Trustee Farrell reported that she would like the Plan Commission to review and compare the Village's Building Department Guideline process with other Villages to make sure that the process is current and up to date. She noted that suggestions from the Board and/or residents are welcome.

C. Trustee Kolar

Trustee Kolar reported that the Cuba Township Highway Department purchased more salt for the roads due to heavy snow fall during the winter months. The salt should last for the remainder of the year.

D. Trustee Pino

Trustee Pino reported that the Zoning Board of Appeals did not meet during the month of February; noted that Village Building and Zoning Officer Kelly Rafferty has been very busy, especially with the property located at 297 Homewood Lane. The property went to auction on 1/26/08. Mr. Rafferty received a phone call from the purchaser in regards to the conditions and violations of the property. The status of the sale is to be determined.

E. Trustee Weiner

Trustee Weiner reported that he was unable to attend the Environmental and Health (E&H) Commission meeting on 2/5/08 and invited Gery Herrmann, 257 Kimberly Road, Chairman of the E&H Commission to address the Board and report on the Village Entrance Beautification Projects.

Mr. Herrmann explained that the E&H Commission heard presentations by Milieu Design, Inc. and Tallgrass Restoration LLC for each Village Entrance Beautification Project located at Signal Hill Road/Honey Lake Road and the Southeast Intersection of Miller Road/Rt. 59. Proposals were submitted to the E&H Commission however, were not included in the Board's packet of materials.

Mr. Herrmann explained that the recommendation of the E&H Commission is to initially concentrate on enhancing the Intersection of Miller Road and Rt. 59 using Tallgrass Restoration LLC, as opposed to working on both sites simultaneously. The cost of the project is approximately \$7,400.00 which includes (12) maintenance visits at \$75.00/hr. Grants may be available.

There was discussion among the Board about the location of the project. It was noted that the part of the location is privately owned and that Illinois Department of Transportation owns the right-of-way.

Mr. Herrmann stated that Cuba Township Highway Commissioner Tom Gooch was assisting with project.

Bruce Kramper, 178 Pheasant Run Trail, stated he has information from Mr. Gooch that he will e-mail to Trustee Weiner.

President Sauer suggested placing the project on hold until it is determined who owns the property and until landscape plans are submitted.

Trustee Weiner stated he would provide landscape plans at the upcoming Board meeting. He thanked Mr. Herrmann and Mr. Kramper for their efforts.

VIII. CLOSED SESSION:

There was no closed session.

IX. NEW BUSINESS

A. Rain Gardens

President Sauer stated that the Flint Creek Watershed Partnership is promoting rain gardens as a way of improving water quality within area communities. A rain garden is simply a shallow depression in your yard that is planted with native wetland or wet prairie wildflowers and grasses. It is designed to naturally collect water that runs off from your roof or is discharged from your sump pump. President Sauer noted that he would like to have the E& H Commission research the benefits of rain gardens.

B. Relay for Life

President Sauer stated that there is a Mayor/President's relay challenge for the Relay for Life benefiting cancer research scheduled for June 14th and 15th at Advocate Good Shepherd Hospital in Barrington. The cost is \$25.00/ team; participants are encouraged to raise \$100.00/person;

donations are \$1,500.00/team. President Sauer encouraged the Board and residents to participate in the upcoming event.

C. Arbor Day Celebration

Gery Herrmann, 257 Kimberly Road, Chairman of E&H Commission stated that the Arbor Day celebration is scheduled for Saturday, April 26th. The E&H Commission is working on having speakers to possibly discuss issues regarding the present coyote and deer population, and well and septic use.

X. OLD BUSINESS

President Sauer reported on the drainage issue regarding the properties at 610 and 615 Signal Hill Road.

President Sauer stated that he, Michael Shrake, P.E., Gewalt Hamilton Associates, Inc., (Gewalt) and Village Attorney J.W. Braithwaite met with the residents of 610 and 615 Signal Hill Road, and Architect, Thomas Reed of Reed Architects Ltd. on 2/13/08 to explain the drainage issue, as presented at the January 2008 Village Board meeting. President Sauer explained that the meeting went well and that the residents were pleased with the efforts of the Village to find a solution. At the conclusion of the meeting, all of the engineering plans from Gewalt were submitted to Architect Thomas Reed.

President Sauer concluded by stating that the only viable solution, in regards to Village involvement, is to establish a special service area.

XI. ADJOURNMENT

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

At 8:54 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held March 19, 2008.

Attest: _____
Kris Lennon, Deputy Village Clerk