

VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting August 25, 2008

President Abboud called the Regular Meeting to order at 6:45 p.m. Roll Call.

Present

Robert G. Abboud, President
Walter E. Smithe, Trustee
Steven E. Knoop, Trustee
George L. Schueppert, Trustee
Beth Mallen, Trustee
Elaine M. Ramesh, Trustee
George Lynch, Village Attorney
Robert Kosin, Director of Administration
Michael N. Murphy, Police Chief
Kathleen Soeder, Village Clerk

Guests

Pamela Cools, Resident
Frank Cools, Resident
Will Olic, Resident
Serge Uccetta, Resident
Connie Uccetta, Resident
Fred Halloran, Resident
Jerry Callaghan, Attorney
Dan Strahan, Village Engineer

Absent

Fritz H. Gohl, Pro-Tem

Trustee Schueppert motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:46 p.m. Trustee Mallen seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)

Nays: 0

Absent: 1 (Gohl)

Meeting Adjourned

EXECUTIVE SESSION

PUBLIC SESSION

President Abboud called the Public Session to order at 8:15 p.m.

MINUTES

Trustee Schueppert motioned to approve the minutes of the Regular Meeting of July 28, 2008. Trustee Mallen seconded. All present said aye, except Trustee Knoop who abstained.

Motion Approved

Trustee Schueppert motioned to approve the minutes of the Executive Session of July 28, 2008. Trustee Mallen seconded. All present said aye, except Trustee Knoop who abstained.

Motion Approved

PUBLIC COMMENTS

President Abboud opened a thirty-five minute session for public comments at 8:16 p.m.

Resident William Olic presented pictures to the Village Board of swales in rough shape along the edge of his property that he believes are the result of the sewer project completed by the Village along Cuba Road. He feels Village representatives have promised further corrections to the swales and to his driveway that have not been made.

Village Engineer, Dan Strahan, explained his belief that there is a differing expectation between the Village and the resident for how a swale will hold up over time. Because Mr. Olic lives on Cuba Road, 500 cars pass his home daily and kick up rocks and debris near the roadway causing rough edges near the roadway. It becomes very difficult to maintain good turf in those areas. Swales are made steep to protect roads and property from water damage. Mr. Olic's driveway work had to be completed using different equipment than is normally used because of the Village's desire not to cause foundation damage to Mr. Olic's home, due to certain conditions which are specific to his location. As a result, his driveway work may not match other work completed by the Village on similar sites, although more was done for his property than was needed for most residents. The Village has attempted several times in the past to modify Mr. Olic's swale and driveway conditions, through reseeding and sealing of driveway cracks, but not to the resident's satisfaction.

President Abboud asked for the following items to be completed for Mr. Olic:

- 1) Dan Strahan is to go to Mr. Olic's property to attempt to hand mow his swale. If Dan is unable to do so, we need to correct to the point the swale can be mowed.
- 2) The Village will complete crack sealing to the juncture between Mr. Olic's driveway and the roadway. Before December, a "hot pour" will be completed from apron to driveway and apron to roadway.
- 3) Property should be photographed before and after work has been completed.

Mr. Olic then introduced concerns about water flowing from his neighbor's property onto his. The Board explained that they have no authority over such issues. One owner must address the situation with the other owner or may sue in court to resolve.

As there were no additional comments, the public comments session ended at 9:15 p.m.

PLANNING – Steven E. Knoop

Issue moved forward in agenda to address attorney representing Village in attendance

Halloran Subdivision Resolution 08-18 - Trustee Knoop motioned to approve the creation of a new subdivision. Jerry Callaghan, Attorney representing the Village, described the two-lot subdivision and stated that no improvements are required to approve the subdivision. All conditions have been met. A new easement will connect the property to Meadow Hill Rd. The new subdivision cannot use Woodhaven Lane as their access road, as they are not part of the Woodhaven subdivision. Trustee Smithe seconded. All present said aye.

Resolution 08-18 Approved

Woodhaven Covenants, Conditions and Restrictions - Trustee Knoop motioned to approve amendment as presented by Woodhaven Homeowners Association and to allow President Abboud to consent and sign amendment. Jerry Callaghan, Attorney representing the Village, explained that Woodhaven Homeowners Association desires to amend their 1995 covenants. The current covenants state that any modifications to the covenants must be consented to by the Village Board. The Homeowners Association is requesting a change, so that only those covenants, conditions and restrictions that pertain specifically to roads and drainage would require Board approval. This change would make this set of covenants consistent with that of other associations within the Village. Mr. Callahan assured the Board that they are only approving permission for such changes to occur and not the particulars of the covenants themselves. The next step would be for the Woodhaven Homeowners Association to approve changes based on their guidelines. Trustee Smithe seconded. All present said aye.

Motion Approved

Amendment to Village Subdivision Ordinance – Trustee Knoop motioned to refer proposed subdivision amendments to the Plan Commission to conduct a public hearing and to make recommendations. Trustee Smithe seconded. All present said aye.

Motion Approved

Comprehensive Plan Amendment Ordinance 08-13 - Trustee Knoop motioned to accept the amendment to the Comprehensive Plan. All proposed changes to the document are in red font. The three primary areas of modification in the document address Horizon Farms Conservation Easement, Canadian National Railway and the issues it brings forth, and Groundwater issues. Trustee Smithe seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)

Nays: 0

Absent: 1 (Gohl)

Ordinance 08-13 Approved

Both Trustee Schueppert and Trustee Ramesh had additional suggestions for changes to the Comprehensive Plan document that they wanted to see considered. It was agreed that the Trustees should send proposed changes to Trustee Knoop in the next month so a public hearing might be held on those issues and an additional amendment might be submitted to the Board for approval.

Bohren Annexation – 303 Ridge Road - Ordinance 08-14 - Trustee Knoop motioned to approve annexation of the Bohren property subject to document correction of the word West to East. Trustee Smithe seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)

Nays: 0

Absent: 1 (Gohl)

Ordinance 08-14 Approved

FINANCE – Walter E. Smithe

Treasurer's Report – Trustee Smithe presented the Treasurer's report for the month of July, 2008. Trustee Smithe motioned to accept the Treasurer's report as presented. Trustee Mallen seconded. All present said aye.

Motion Approved

Police Pension Board Report – Trustee Smithe motioned to accept the financial report of the Police Pension Board through July, 2008 as presented, with Trustee Schueppert's addendum. Trustee Schueppert seconded. All present said aye.

Motion Approved

Five checks dated from March through July 2008, all of which were payments to the Police Pension Fund, were noted through reconciliation to not match amounts approved by the Village Board for distribution to the Fund.

Trustee Schueppert has found a discrepancy in amounts received in taxes for the Police Pension Fund and amount actually given to the Fund. The explanation has been that Cook County has sent their payments directly to the Fund, but Trustee Schueppert is concerned that this answer may not be correct. Treasurer Rosemary Ryba owes a resolution on this to President Abboud.

Overtime Reports – Trustee Smithe motioned to approve \$11,331.94 in overtime expenses for July, 2008. Trustee Knoop seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)

Nays: 0

Absent: 1 (Gohl)

Motion Approved

It was noted by Chief Murphy that some significant overtime reimbursements are expected.

Presentation of Bills – Trustee Smithe motioned to approve payment of the bills for the month of July to date of \$353,052.60. Trustee Knoop seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)

Nays: 0

Absent: 1 (Gohl)

Motion Approved

Trustee Smithe reminded the Board that budget work for 2009 is in progress. It is expected that all Trustees will try to reduce expenditures from their budget areas wherever possible.

ROADS AND BRIDGES – Elaine M. Ramesh

Monthly Report – Trustee Ramesh reported that Barrington's Freedom Run modified their route to exclude use of Barrington Hills' roads, per the Board's rejection of the Freedom Run resolution last month.

For the Oak Knoll resurfacing project, patching has been completed and road construction is in progress.

The Ridge Road drainage improvement project is underway. Work along Ridge Road has been completed, but work along Merri Oaks Road is awaiting approval from the Lake County Stormwater Management Commission.

A bid package for outstanding bridge maintenance and miscellaneous drainage improvements is under preparation.

New complaints for drainage problems have been received from residents on Royal Way, Three Lakes and Dundee Lane. Each is being reviewed. Trustee Ramesh proposes that possibly drainage work should be addressed by sector and a plan for work might be developed similar to roadway replacement. She also suggested perhaps new homes should be required to pay fees to aid in road and drainage work.

Trustee Ramesh brought to the Board's attention an article in the Chicago Tribune about the Chicago Bicycling Federation. The article is recruiting membership and details preferred road tours for its membership. One suggested route recommended group riding on Barrington Hills roads. President Abboud asked Chief Murphy to address a letter to the cycle group asking that they remove Barrington Hills roads from their route lists as well as any endorsement of our roads as bikeways due to safety concerns.

The Equestrian Committee discussed trail access through the Halloran Subdivision.

County Line Road Renaming Resolution 08-19 - Trustee Ramesh motioned to accept a portion of the request from the Village of Algonquin to change references from County Line Road to Lake Cook Road. A full name change would necessitate village residents changing their mailing addresses to reflect the name change. Instead, the Village Board of Barrington Hills proposes changing the name from County Line Road only outside the boundaries of Barrington Hills, or west of Haegers Bend Rd/Route 25. Trustee Mallen seconded. All present said aye.

Resolution 08-19 Approved

Cuba Township – Notice of Termination

President Abboud and Trustee Ramesh met with Tom Gooch and they agreed to maintain the existing snow removal contract that exists between the Village and Cuba Township. During the meeting, it was discussed that Lake and McHenry Counties were somehow left out of this year's state bidding process for the state's salt supply. Normally Cuba Township spreads 600-800 tons of salt for Barrington Hills per winter. To date, only 50 tons have been allocated and contracted for this year for Village roads. Normally, salt obtained through the bidding process is available for \$45/ton; now prices as high as \$150-\$180/ton could be possible. As a result, we will need to amend our agreement with Cuba Township to reflect this situation. On a positive note, Cuba Township has not passed along their rising fuel costs to us. Investigation of other materials in place of salt is also in progress.

PUBLIC SAFETY – Fritz H. Gohl

Monthly Report – In Trustee Gohl's absence, Chief Murphy reported that domestic disputes and thefts are up in the Village, both of which tend to rise in tougher economic times. Chief Murphy also wanted to remind residents to set alarm systems at night and to configure alarm systems so the Village is directly notified of any incidents. There is usually a nominal monitoring fee charged in addition to your alarm company's monthly fee, but rather than wait for your company to notify us of alarms after they have completed their triage activity, valuable time will be saved if the Village can respond immediately in parallel to the alarm company investigation. It was also suggested that residents investigate the use of cellular back-up for their alarm systems.

Cook County Project Gold Shield Resolution 08-20 - Trustee Mallen motioned to direct the Village to enter an agreement that would allow access to some of the grant money given by the Department of Homeland Security to the Cook County Security Initiative allowing upgrading of equipment, tools, training and information to ensure safety of residents. Trustee Knoop seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)

Nays: 0

Absent: 1 (Gohl)

Resolution 08-20 Approved

BUILDING AND ZONING – George L. Schueppert

Building Permit Report – Trustee Schueppert reported that this year we have had permit requests for 3 single family residences. All permits are lagging this year over requests for the last four years. This is having a significant impact on permit fees collected by the Village. The Village has collected about half of what was projected in the budget.

ZBA Report – Trustee Schueppert reported that this month the ZBA spent the majority of its time on the special use permit request for Cricket Communications. Cricket is requesting installation of cellular antennas on the silo located on Otis Road. The ZBA agreed to a permit, subject to a landscape plan for the fenced area at the base of the antenna space and a commitment to maintain the landscaping. The Village Board will be presented this special use permit for a vote next month.

The ZBA agreed to defer to a special meeting the appeal on the cease and desist order for the LeCompte barn. The meeting is scheduled for August 28th.

A draft has been proposed by eleven members of our equestrian community who propose an amendment to the Village ordinance limiting horse boarding in the Village to that described in the Home Occupation Ordinance.

Trustee Schueppert also raised an issue about a complaint received for a home located at 30 Little Bend Rd. Discussion ensued over the possibility of building permit violations and the actual use of the property. Chief Murphy will be checking with local concrete and gravel companies to remind them that all overweight permits must be in order for them to bring large trucks in on Village roads.

INSURANCE – George L. Schueppert

Monthly Report – Trustee Schueppert had nothing new to report.

HEALTH, BUILDINGS & GROUNDS, ENVIRONMENT – Beth Mallen

Monthly Report -Trustee Mallen reported that the Village has been host this month to the meeting of the Emergency Telephone System Board (ETSB) who took a tour of our Police and 911 Center.

Picnic with the Police is scheduled for Sunday September 7th.

The Board members discussed the quality of air in the downstairs area of Village Hall. President Abboud asked that the cause of the odor be determined and resolved immediately.

The Village newsletter is at the printer and should be distributed shortly. Banners have been placed in front of Village Hall promoting the Annual Police Picnic and the new Community Forum website (www.vbhcomm.info).

The Beautification Committee is planning its first clean up event for October.

ATTORNEY – George Lynch

Attorney Lynch stated that matters of litigation and personnel had been addressed in Executive Session.

ADMINISTRATION – Robert G. Abboud

Appointments – President Abboud motioned approval of three new candidates for the Legal Committee. Since President Abboud is substantially increasing the workload of the Legal Committee, he feels that the Committee needs to grow to seven members. He is asking the Committee to look at Village Code and modify it so that existing code is easier to understand and so that the code can be better enforced. Bruce Pfaff, a personal injury attorney, Catherine Klima, an intellectual property attorney, and Thomas Magner, a real estate broker, are proposed additions. All present said aye.

Motion Approved

Canadian National (CN) Railway – President Abboud reminded the Board about the Surface Transportation Board (STB) meeting scheduled for August 27th at Barrington High School. He encouraged all Board members to schedule themselves for comment. He advised that continuing concerns exist about CN driving wedges between communities over who will benefit more from increased or reduced train traffic. He also mentioned that Congressman Daniel Lipinski has come out in favor of the merger.

Trustee Knoop mentioned that he has been asked by his neighbors to host a meeting on the topic. He has read the mitigation report and he was concerned about several points made in the report:

- 1) CN is offering mitigation at only 15 grade crossings. Mitigation activities merely consist of the posting of signs, installing fences and providing a toll-free number for complaints;
- 2) CN says that traffic already exists so they do not see increased road traffic problems caused by train traffic as their issue to solve;
- 3) CN says that freight trains do not cause vibration;
- 4) There is currently not a requirement for mitigation to occur prior to train volume increasing.

Urban Wildlife Management – Deer – This topic is still actively being reviewed and data is being collected.

Trustee Mallen motioned to adjourn the Public Session at 11:34 p.m. Trustee Smithe seconded. All present said aye.

Meeting Adjourned

Approved _____