

VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting of the Board of Trustees
Monday, April 23, 2012

President Abboud called the Regular Meeting to order at 6:37 p.m. Roll Call.

Present

Robert G. Abboud, President
Fritz H. Gohl, President Pro Tem (Absent)
Elaine M. Ramesh, Trustee
Joseph S. Messer, Trustee
Karen S. Selman, Trustee
Patty Meroni, Trustee
Harold Gianopulos, Trustee

Michael N. Murphy, Police Chief
Richard Semelsberger, Deputy Chief
Robert Kosin, Director of Administration
Doug Wambach, Village Attorney
Dolores G. Trandel, Village Clerk

Guests

Debra Rykoff, resident
Jean Maddrell, resident
Jonathan Knight, resident
Jon & Nancy Apmann, residents
Missy Apmann, visitor
Donald & Barbara Kemp, residents
George Wells, resident
John Reich, resident
Harlan Miller, resident
Michael Miller, resident
Mike Comerford, Barrington Courier
Nancy Schumm, Consultant
Kevin Ritter, Integrys Energy
Tom Rowan, BCFPD
Natalie Karney, Land Technology
Harry Burroughs, visitor
Daniel Strahan, Village Engineer

Trustee Gianopulos motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:37 p.m. Trustee Meroni seconded. Roll Call.

Ayes: 6 (Gianopulos, Selman, Meroni, Messer, Ramesh & Abboud)

Nays: 0

Absent:1 (Gohl)

Meeting Adjourned

EXECUTIVE SESSION

PUBLIC SESSION

President Abboud called the Public Meeting to order at 7:35 p.m. and explained that Public Comments will be at the end of the Agenda.

APPROVAL OF MINUTES

Trustee Selman motioned to approve the Minutes of the March 22, 2012 meeting. Trustee Meroni seconded. All present said Aye.

Motion Approved

Trustee Gianopulos made the motion to approve the March 22, 2010 Executive Minutes, Trustee Selman seconded. All present said Aye.

Motion Approved

Trustee Selman made the motion to dispose the Executive Minutes Recording of the Meeting of July 26, 2010. Trustee Meroni seconded. All present said Aye.

Motion Approved

Ascension of the Executive Minutes - Attorney Douglas Wambach stated there are no minutes to ascend.

FINANCE – Karen S. Selman

Treasurer's Report - Trustee Selman motioned to accept the Treasurer's Report for March, 2012. Trustee Meroni seconded. All present said Aye.

Motion Approved

Police Pension Board Report - Trustee Selman motioned to accept the Police Pension Board Report for March, 2012. Trustee Ramesh seconded. All present said Aye.

Motion Approved

Overtime Reports - Trustee Selman made the motion to accept the Overtime Report from March 16, 2012 through April 15, 2012 totaling \$5,103.67. Trustee Meroni seconded. Roll Call.

Ayes: 6 (Gianopulos, Meroni, Selman, Messer, Ramesh & Abboud)

Nays: 0

Absent: 1 (Gohl)

Motion Approved

Bills for Approval - Trustee Selman motioned to approve the bills for the month of March 16, 2012 to April 15, 2012, totaling \$248,532.94. Trustee Ramesh seconded. Roll Call.

Ayes: 5 (Meroni, Selman, Messer, Ramesh & Abboud)

Nays: 1 (Gianopulos)

Absent: 1 (Gohl)

Motion Approved

Trustee Gianopulos opposed the \$1,200.00 payment for the Spring Creek Watershed.

Roads & Bridges Transfer Ordinance - Trustee Selman motioned to approve the Roads & Bridges Transfer Ordinance. Trustee Messer seconded. Roll Call.

Ayes: 6 (Gianopulos, Meroni, Selman, Messer, Ramesh & Abboud)

Nays: 0

Absent: 1 (Gohl)

Ordinance 12-03 Approved

Aggregation Referendum – Trustee Selman stated that since this referendum failed by 25 votes, many residents requested to be in on the program. Kevin Ritter, from Integrys spoke to the Board explaining that his company’s program will be at no cost to the Village and it is an Opt-In program. ComEd’s current rate is 7.7 cents and Integrys can offer 5.6 cents. Trustee Ramesh asked if individuals requested this without the Village’s involvement, can they get the 5.6 cent rate. Mr. Ritter said no. By the Village agreeing to approve Integrys, they will get a higher percentage of residents signing on. Trustee Selman will be checking into several other suppliers on the Opt-In program. Mr. Ritter stated that the program, once accepted, will be operational in ten days.

ROADS & BRIDGES – Patty Meroni

2012 Road Construction Program

Road Program Bids 2012 – Dan Strahan, Village Engineer, provided bid recommendations based on bids he received on Thursday, April 19th. The low bid was Geske & Sons and the Village has worked with them before.

Arrow Road	\$924,791.10
Chicagoland Paving	\$919,900.00
Curran Contracting	\$939,215.75
Geske & Sons	\$850,476.94
JA Johnson Paving	\$937,753.42
Peter Baker & Son	\$988,421.60
Schroeder Asphalt	\$884,024.67
EOPC	\$906,001.50

Trustee Meroni motioned to award the bid to Geske & Sons for the 2012 Road Construction Program. Trustee Selman seconded. Roll Call.

Ayes: 6 (Gianopulos, Meroni, Selman, Messer, Ramesh & Abboud)

Nays: 0

Absent: 1 (Gohl)

Motion Approved

Pavement Rejuvenation Bids 2012 – Three contractors had picked up the bid package. American Road Maintenance, who had intended to submit a bid but failed to do so due to a scheduling error. Chicagoland Paving and Curran had also picked up bid packages, but it appears both companies would have utilized American Road Maintenance as a subcontractor to perform the work. Village Engineers have spoken with American Road Maintenance and they have provided a quote of

\$21,935.85 for the scope of work indicated. Therefore, the Board could approve (by super-majority vote) the awarding of the contract to American Road Maintenance.

Trustee Meroni motioned to accept American Road Maintenance's bid of \$21,935.85. Trustee Gianopulos seconded. Roll Call.

Ayes: 6 (Gianopulos, Meroni, Selman, Messer, Ramesh & Abboud)

Nays: 0

Absent: 1 (Gohl)

Motion Approved

2012 Road Program – Construction includes work on Dundee Lane, Braeburn Road, Cross Timber, Steeplechase, Caesar Drive, Dana Lane.

2012 Drainage Program - Preconstruction meetings have taken place for work on Chapel Road and Haegers Bend Road. Culvert replacement will begin the first week of May.

Cuba Road Bridge - A meeting with Tom Gooch, Cuba Township Supervisor, is scheduled for Tuesday, May 15th. Meanwhile, additional inspections have been done on the bridge.

Chapel Road - The sign and flashing beacon have been installed and the beacon checked for battery operating time.

A benchmark will be installed on Chapel Road to mark the water level as it now stands. This will give us the ability to monitor the water level relative to the road, as well as to the effectiveness on the dry wall once it is installed. It is being done now while the water level is well below the pavement.

Private Road Homeowners Meeting Follow-Up - On Thursday, April 19th, Trustee Meroni attended a Lake County Homeowner's Association meeting in Libertyville to gather additional information from both Kurt Woolford, Chief Engineer, Lake County Stormwater Management Commission and John Bickley III on HOA legal responsibilities and budget considerations.

Follow up information will be distributed to our private road coordinators and available to private road residents.

Construction Alerts

Hart Road at Rt. 14 - The Village of Barrington and the Lake County Division of Transportation are proposing improvements to Hart Road at Rte. 14. The proposed scope of work for this project is to widen the intersection to improve traffic flow and lower the crash frequency in this area. This includes the addition of new turn lanes, lengthening of existing turn lanes, updating traffic signal equipment, and improved timing. The project also includes updating safety measures at the railroad crossing providing pedestrian and bicyclist accommodations.

Public Hearing to take place on Thursday, April 26, 2012, 4-6 p.m. Barrington High School

Rt. 14 at Kelsey Road - IDOT has begun preliminary construction on improvements to the Rte.14/Kelsey Road intersection with construction scheduled to begin around May 20, 2012 and last through September 20, 2012. The physical improvements are limited primarily to milling and

resurfacing the existing pavement, some drainage improvements on the north side, and upgrades to the traffic signal.

Penny Road - Cook County Highway Department had a preconstruction meeting earlier this month with actual construction to follow in May.

Village of Barrington ITEP Sidewalk Proposal - The Village of Barrington is proposing, as part of an application for federal funding to encourage walking to school, to install sidewalks along the north side of Lake Cook Road from the High School entrance to Hart Road, then north on the east side of Hart Road all the way to the parking area (currently gravel) at the northeast corner by the railroad tracks.

In conjunction with this project, the Village of Barrington has approached the Village of Barrington Hills regarding our earlier application for a pedestrian crosswalk from the southeast corner of Old Hart Road at Lake Cook Road to the northeast corner at Oakdene and Lake Cook Road. By combining this with the Village of Barrington's application, we could qualify for 80% of federal funding and have this for future resident's use.

Dundee Lane - The mobile speed sign has been deployed on Dundee Lane as well as a new traffic count.

Nicor Gas Franchise Ordinance - Trustee Meroni motioned to accept the revised Ordinance. Trustee Gianopulos seconded. Roll Call

Ayes: 6(Gianopulos, Meroni, Selman, Messer, Ramesh & Abboud)
Nays: 0
Absent: 1 (Gohl)

Ordinance 12-02 Approved

Caesar Drive Easement Resolution - Trustee Meroni motioned to approve the temporary road easement. Trustee Gianopulos seconded. All present said Aye.

Resolution 12-10 Approved

BACT Pappas Scenic Easement Resolution - Trustee Meroni motioned to accept the Pappas Scenic Easement Resolution. Trustee Gianopulos seconded.

Discussion ensued on Scenic Easement versus Equestrian Trails and how these scenic easements might affect each other. Trustee Meroni motioned to table this resolution until more information is gathered. Trustee Gianopulos seconded. All present said Aye.

Resolution Tabled

PUBLIC SAFETY – FRITZ H. GOHL

Monthly Report – Chief Murphy presented the monthly report in Trustee Gohl's absence. A Public Safety meeting was held on Thursday, April 19th here at the Village Hall. Chief Murphy was pleased to have approximately eighty people attend. Many who did not attend requested information that was given at the meeting and asked for more of this kind of meeting.

BUILDING AND ZONING - Joseph S. Messer

Building Permit Report - Trustee Messer reported that 8 building permits had been issued in the past month.

ZBA Report - The Zoning Board of Appeals met on April 16th. The ZBA recommended approval of the Fur Keeps Animal Rescue Special Use Ordinance for another five years to the Board of Trustees.

Fur Keeps Animal Rescue Special Use Ordinance – Trustee Messer motioned to adopt the revised Ordinance. Trustee Meroni seconded.

George Wells, a resident attending the meeting, requested time to make a statement.

George Wells – He stated he lives at 139 Old Dundee Road and have lived there 40 years to be exact. When he and his wife moved to Barrington Hills they were so pleased with the quiet, serene and peaceful surroundings.

Through the years a lot has changed on Old Dundee Road. A lot has changed directly across the road from their home. They have some concerns about the use.

A couple of years ago their neighbor asked if they would help them deal with a barking dog complaint. At that time he wrote a “to whom it may concern” note stating that yes he heard dogs barking once in a while but it was not that big a deal or words to that effect. He was not aware that this letter would be used to help in efforts to set up an animal shelter. Since the inception of the animal shelter dogs and cats are all over. The cats do their business in their flower beds almost every night and they roam all over during the day and the dogs leave their calling cards all over the front yard and sometimes they see them down in the field just running loose. Asked several times why the dogs were always running loose; the help must have let them out was the response. Never an apology; never words like ‘I’m sorry.’ In the past couple of years he had to clean up more dog manure. The past couple of years the dogs have been a nuisance.

Dog walkers arrive at the dog pound, check out a dog and then all congregate in front of their drive; when the dogs are through doing their thing. It’s back for more dogs and the story repeats itself over and over.

From his family room, his view encompasses his driveway, the road and the driveway across the road; 100 cars, 125 cars or more come and go across the road on any given day. When their driveway is full the customers park on the road or in his driveway. So many cars and trucks pull in and out of his driveway they have made deep ruts and he can’t even mow the grass along the road in front of his property. They dump out their trash in his driveway. The trucks break off tree limbs; just make a mess of things. It is a complete lack of consideration for his property; Starbucks coffee cups, plastic bottles, cans and all types of trash cover the sides of the road. He is not sure what percent of the traffic is attributable to the horse boarding facility, the veterinary clinic or the animal shelter operation but totally it is traffic that would not exist if it were not for the commercial operations that exist across the road from him. Last fall he made the mistake of asking someone to please move that had been parked there for sometime. He felt unsafe by the response.

The things that he has mentioned cause a great deal of otherwise unnecessary stress in their lives.

Dr. Debra Rykoff, in rebuttal, stated she had only one full time employee and three volunteers a day. Her Veterinary Clinic is in Elgin and the Dundee Road facility is only for shelter use.

Dan Strahan, Village Engineer stated that there was a traffic count on Old Dundee done in 2007, 2009 and another one to take place next week.

Trustee Messer made a motion to table his motion for the opportunity to review this information. Trustee Meroni seconded. All present said Aye.

Ordinance Tabled

Home Occupation Amendment – Trustee Messer Motioned to compile questions and comments that the Board has for the Zoning Board of Appeals before they go before Public Comment. Trustee Meroni seconded. All present said Aye.

Motion Approved

President Abboud asked that the Trustees have their comments and questions sent to the Clerk so she can send them to the ZBA for review. Deadline is May 7th.

261 Steeplechase Road - Don Schuman met with Mr. Saltourous on April 5th to verify the vehicles on his property. Of the six (6) vehicles on the property at the time, one was registered to 261 Steeplechase and all but one are registered the Mr. Saltourous. Two of the vehicles were inoperable and none of them have a valid vehicle sticker for either BH or the municipality to which it is registered. Mr. Saltourous indicated his family members were using the other vehicles. A return for status date is set for May 3, 2012.

2 Tricia Lane - Mr. Patel advised the court his intention is to remove the structures in violation within sixty (60) days. The return date is June 6, 2012 for status.

363 Bateman Circle South - James Busch, Village Prosecutor, is researching an order of mitigation for the removal of the Heritage Trees at this location.

594 Plum Tree Road - The residents at 610 and 612 complained that 594 was "building a road into the access road on the easement", which does not include the 594 Plum Tree Road property. Mr. Jansson at 612 Plum Tree Road was advised that the use of the easement is a civil matter and if a cease and desist order was issued by the courts, the Police Department could enforce that order.

Don Schuman visited the site and it appears that material has been brought in for possible access roads within property. Dan Strahan also visited the property and determined a site development permit is required and in addition, the work is in excess of the permit threshold under the Lake County Watershed Development Ordinance.

A letter advising Mr. Ribbeck to submit a site development application or provide documentation that the scope of the work does not meet the Village criteria for a site development permit was sent by certified mail and returned unclaimed. A second letter was sent to the Chicago address on the tax bill, also returned unclaimed. Hand delivery of the letter was attempted, but the home appears that the home is unoccupied and the mailbox is no longer properly installed.

1313 Plum Tree Road - A letter was sent to Mr. Colby regarding the status of his building permit issued August 31, 2006. Mr. Colby has requested an extension to complete the work due to litigation. Copies of both letters are attached.

44 Brinker Road - Trustee Gohl mentioned the tree removal at this address in a previous Board meeting. The general contractor had submitted a tree proposal with the site development plan but prior to final review by the Village Arborist, the tree removal contractor "got carried away" as he was only to be removing buckthorn and brush until approval. The Village Arborist then reviewed the plans and site and approved.

121 County Line Road - The Building Department received a complaint of stacks of pallets stored on this site. Don Schuman visited the property and spoke with the property manager who agreed to have the pallets removed. Don advised to complete removal within ten (10) days.

223 Otis Road - New property owners have obtained a permit for demolition for this residence and their intention is to restore the lot to its original condition, with some additional landscaping and not to rebuild on the site.

320 Dundee Road - This property has four (4) open permits, the oldest dating back to 2005. This property has been purchased and the new owners are currently working with the Building Department to complete the necessary work. They are hoping to schedule the final inspections and move in by the end of June or the beginning of July.

Vacant Building Cook County Ordinance – Attorney Wambach stated that the Village should adopt our own ordinance that we can apply Village wide including all four counties. Trustee Messer motioned to just keep track of vacant buildings and not create an ordinance. Trustee Selman seconded. All present said Aye.

Motion Passed

Local Government Debt Recovery - Trustee Messer motioned to adopt this Local Debt Resolution. Trustee Meroni seconded. All present said Aye.

Resolution 12-11 Approved

PLANNING – Elaine M. Ramesh

Monthly Report – A meeting was held on April 11th. The Chairman requested an update on the potential project to explore planning for one of the various areas set out in the Comprehensive Plan, as the Commission is awaiting direction from the Village Board on which area to consider. The Chairman also indicated that three members' terms are up for re-appointment. A representative from CMAP may speak at the May Plan Commission meeting.

Flint Creek Watershed Partnership has requested that the Village review and report on progress in implementing the Prioritized Action Plan by June 27th.

Steeplechase Grading Resolution – The Plan Commission voted to recommend approval of an exception to the Village’s grading requirements under Sec. 4-3-5 of our Code for construction on Steeplechase Drive. Trustee Ramesh requested this item be tabled to allow residents time to provide comments and concerns.

Resolution Tabled

Groundwater Comprehensive Plan Amendment – The Plan Commission voted to request that the Village Board allow them to hold a public hearing on the incorporation of BACOG well data into the Comprehensive Plan. Report due by June. Ken Bosworth, Chairman of the Plan Commission will complete report. It was the sense of the Board for the Plan Commission to proceed with the hearing.

Water Sense Resolution – Trustee Ramesh presented the Steeplechase Grading Resolution. Trustee Meroni motioned to approve this resolution. Trustee Selman seconded. Roll Call.

Aye: 4 (Meroni, Selman, Messer, Abboud)
Nay: 2 (Ramesh, Gianopulos)
Absent: 1 (Gohl)

Resolution 12-12 Approved

INSURANCE – Harold Gianopulos

Monthly Report - The Insurance Committee did not meet since our last BOT meeting. Our next Insurance Committee meeting is scheduled for the week of May 7th.

HEALTH, ENVIRONMENT, BUILDINGS & GROUNDS – Harold Gianopulos

Recycling Issues - There has been a resident complaint in the area of Honeycutt and Hills and Dales Road. Apparently residents living on Honeycutt are required to bring their recycling to the corner of Honeycutt and Hills and Dales in order to receive services and that some residents may be leaving their recycling bins there a day or more prior to the date of pick up. This situation will be monitored.

Grounds - Landscaped beds have been weeded and dressed and the initial lawn mowing is scheduled for May 1st.

eWaste – We held our first Village sponsored ewaste pick up at Village Hall this past Saturday. Approximately 40 residents came to dispose of unneeded or unwanted electronic equipment.

BCFPD Signage – After two meetings with Deputy Chief John Feit and President of the BCFPD, Tom Rowan, we have agreed on the signage. Please note that the color of the signage will match the trim color of the building.

Solid Waste Management Report – Nothing to report.

Schumm Consulting – Nancy Schumm, Update on Kane County:
Kane County Fire Protection District is not interested in further acquisitions at the time particularly on the North End of their district because of maintenance capabilities, or lack of them. Even if property was donated, they would not necessarily accept it or hold on to it

because of this issue. However, if the property were adjacent to land already owned, they may consider acceptance.

Trail Issues in Helm Woods - Helm Woods is an Illinois Nature Preserve and therefore horse-back riding is a prohibited use for the site. Any horse trails in existence were created by locals and are discouraged by the District here. They do have natural mowed trails in their master plan and those will remain.

The District would appreciate any volunteer groups as they lost their chief volunteer steward at Helm Woods recently.

The District has scaled back on many of their trails in their preserves because they determined that the ration of acres to miles of trails should be 1 mile for every 100 acres. They have limitations in sensitive natural areas with threatened and endangered species. They have also had issues with water at some of their sites as hydrology has been changing in some of their locations which has made them consider moving trails to dryer land.

CCFPD - The District was voting on a large bond issue to continue to acquire land and appreciates the help we have been giving them. There is a disconnect between the conversations and support we have from Comm. Goslin and the legal/Superintendent's team, which we exploring. Even though we received a letter saying that annexation would not be allowed the conversation is not over.

Month ahead - Follow up on Commissioner Goslin's priorities and another meeting with CCFPD. Attend McHenry County meetings as needed.

CMAP - We are encouraged to apply for technical support to create language that includes equestrian-based community needs for use in each of the county planning and as an example to other equestrian communities. There is a training session in May that we are welcome to attend.

Trash Pick-Up, Earth Day – P. Denise Israel presented the success of the April 21st Roadside Trash Pick-Up. About 38 Volunteers participated including the large turn out of BH Riding Club, BHS Habitat for Humanity Club. Conor Fahey put out a face book notice and about 6 BHS students came and other residents and neighbors of our Board. This was again a great success, doing much of Lake Cook Road. Patti Fahey and Dan Cantalupo are to be congratulated on another terrific day under their strong leadership. A total of 67 bags of trash were collected.

ATTORNEY - Douglas Wambach

Pending Litigation - Covered in Executive Session.

Personnel – No report.

ILRB S-CA-10-189 – Status remains the same. It will be six to seven months before we see a contract and then the contract will go before the Board of Trustees for a vote.

ADMINISTRATION - Robert G. Abboud

Appointment – President Abboud proposed the re-appointments of Patrick Hennelly and Daryl Adams to the Plan Commission to the year 2015. Trustee Selman motioned to accept this appointment. Trustee Meroni seconded. All present said Aye.

Appointments Approved

Jason Elder has resigned and one other open position remains to be filled to the year 2013.

OMA Officer – President Abboud proposed the appointment Wendi Friesen as OMA Officer. Trustee Selman motioned to accept this appointment. Trustee Meroni seconded. All present said Aye.

Appointment Approved

ATC Lease Amendment – Will be addressed at the May 21, 2012 Board of Trustees meeting.

QuadComm Communications Resolution– David B. Smith, Director of QuadComm requested permission to install an antenna and repeater for fire purposes on our tower located next to the Block House. The East Dundee and Countryside Fire Protection District has experienced some communication problems at the fare east end of their district. A test performed through Chicago Communications has indicated that the installation of an antenna and a fire repeater would resolve these communications issues. Trustee Ramesh motioned to approve this resolution. Trustee Meroni seconded. All present said Aye.

Resolution 12-13Approved

PUBLIC COMMENTS:

Jack Reich, 110 Brinker – questioned the Village’s stand on commercial boarding. He stated that after he heard George Wells statement, he felt that Mr. Wells was threatened by the Village Board.

Trustee Selman made the motion to adjourn the Public Session at 12:04 a.m. Trustee Messer seconded. All present voted Aye:

Meeting Adjourned

Approved