

VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting of the Board of Trustees
Monday, September 24, 2012

President Pro-Tem Gohl called the Regular Meeting to order at 6:35 p.m. Roll Call.

Present

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

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

Guests

Lou Flannery, resident
Brian Holt, resident
Jim Hammond, resident
Jerome & Linda Lagod, residents
Barry Phillips, resident
Steve Kim, resident
Pauline Boyle, resident
John Clark, Village Prosecuting Attorney
Jim Kelly, Special Counsel
Dan Strahan, Village Engineer
Nancy Schumm, Consultant

Trustee Gianopulos motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:36 p.m. Trustee Selman seconded. Roll Call.

Ayes: 5 (Gianopulos, Selman, Meroni, Ramesh, Gohl)

Nays: 0

Absent: 2 (Messer & Abboud)

Meeting Adjourned

EXECUTIVE SESSION

PUBLIC SESSION

President Pro-Tem Gohl called the Public Meeting to order at 7:53 p.m.

APPROVAL OF MINUTES

Trustee Meroni motioned to approve the Minutes of the August 27, 2012 meeting. Trustee Gianopulos seconded. All present said Aye.

Motion Approved

Trustee Gianopulos made the motion to approve the August 27, 2012 Executive Minutes, Trustee Meroni seconded. All present said Aye. Trustee Ramesh abstained.

Motion Approved

Trustee Selman made the motion to dispose the Executive Session Special Meeting Recordings of December 2, 2010. Trustee Meroni seconded. All present said Aye.

Motion Approved

Trustee Meroni made the motion to dispose the Executive Session Meeting Recordings of December 20, 2010. Trustee Selman seconded. All present said Aye.

Motion Approved

FINANCE – Karen S. Selman

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

Motion Approved

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

Motion Approved

Overtime Reports - Trustee Selman made the motion to accept the Overtime Report from August 16, 2012 through September 15, 2012 totaling \$4,922.47. Trustee Meroni seconded. Roll Call.

Ayes: 5 (Gianopulos, Selman, Meroni, Ramesh, Gohl)

Nays: 0

Absent: 2 (Messer & Abboud)

Motion Approved

Bills for Approval - Trustee Selman motioned to approve the bills for the month of August 16, 2012 to September 15, 2012, totaling \$372,033.81. Trustee Meroni seconded. Roll Call.

Ayes: 5 (Gianopulos, Selman, Meroni, Ramesh, Gohl)

Nays: 0

Absent: 2 (Messer & Abboud)

Motion Approved

ROADS & BRIDGES – Patty Meroni
Monthly Report

2012 Road Construction Program - The 2012 Road Construction Program has been completed with the exception of GSB application on Steeplechase Road and Cross Timber. Extensive and some unexpected culvert replacements on Steeplechase delayed completion which is expected by the end of next week.

There remain a couple of open items with the contractor, including core samples on Dundee Lane before the program can be finalized.

2012 Drainage Program - The drainage program has been completed.

Haeger's Bend Road - The funding request for Haegers Bend did not make the cut with the McHenry County Council of Mayors. The project will be re-submitted at the next opportunity with some changes and adjustments to increase our chances of success in the next call for projects.

NICOR/Helm Road - NICOR has begun the installation project.

BACT Road Easements - At the August, 2012 meeting, two Heritage Corridor Easement requests were tabled pending a meeting with the BACT to review questions the Village had. A meeting was held on Tuesday, September 19th, at the BACT offices to review their plan, success with the Heritage Corridor Easements, discuss their internal process, review the BACT financial arrangements for protecting and defending these easements and to discuss the Village's part in this program. Doug Wambach reviewed the BACT procedures and their requested report was received September 20th.

2013 Road Program - We have reviewed the proposed 2013 program but because of participation/non-participation of some other entities, Algonquin Township, Lake Co. Stormwater Management, MCCOM, the program is being re-worked as we are advised what projects will or will not be included for funding approval. The Scope of the Project includes Spring Creek Road from Haegers Bend to Ridge Road – including replacement of CMP culverts and lining of Spring Creek culvert/bridge. GSB application for funding application for Village Hall parking lot and 2016 Roadway.

2013 Drainage Program - A potential project in Paganica subdivision which is required by the Lake County Stormwater Management Commission as a condition of the Village's participation and acceptance of the Stormwater Management Ordinance, may or may not occur in 2013, as they are considering doing a later joint program with the Homeowners Association and the Village.

2013 Budget - Based on the questionable participation and funding of several items, the Roads and Bridges Budget is not finalized as of this time. We will have a projected budget by early October.

McHenry County 2040 Transportation Plan - The Route 25/Fox River Crossing Project remains in the program with a 4 lane roadway phasing 10-20 years, at a cost of \$34 million.

Upcoming Focus Groups to review this are:
Resident Focus Group – September 24, 6-7:30 pm
Engineers Focus Group – September 26, 9-10:30 am
Municipalities Focus Group – September 26, 3-4:30 pm

IAA/East Dundee - On Monday, September 18th, Trustee Meroni attended the Board Meeting of East Dundee with Jim Kelly as well as several Barrington Hills residents. Prior to the meeting, VBH filed an objection to the Final Plat of Subdivision of IAA, and Trustee Meroni objected to the final approval on behalf of the Village during public comment. During Trustee Meroni's verbal comment, one of the East Dundee Trustees asked numerous questions and was the only one who asked for a two week extension for Barrington Hills to review this situation. In the course of public comment, Marvin Husby, a Pond Gate resident, cautioned the Trustees about rushing into this potentially detrimental development and one the trustees commented that "We have been working on this for over a year". During that year no notification was ever given to the Village of Barrington Hills or the residents of Pond Gate who will be directly impacted by the creation of an automobile junkyard adjacent to their property. Concern exists of the impact for these residents, the Village of Barrington Hills and the surrounding area, the ground water, wetlands and the aquifer. The Village is exploring the legal options to prevent this potentially ruinous project from going forward. The President's published comments in the current newsletter. Trustee Meroni has been working with the residents of the area on how to proceed.

BACT "Mayo" Scenic Easement Resolution – Trustee Meroni motioned to accept this scenic easement. Trustee Selman seconded. All present said Aye. Roll Call

Ayes: 5 (Gianopulos, Selman, Meroni, Ramesh, Gohl)
Nays: 0
Absent: 2 (Messer & Abboud)

Resolution 12-24

BACT "Rushing" Scenic Easement Resolution – Trustee Meroni motioned to accept this scenic easement. Trustee Selman seconded. All present said Aye. Roll Call

Ayes: 5 (Gianopulos, Selman, Meroni, Ramesh, Gohl)
Nays: 0
Absent: 2 (Messer & Abboud)

Resolution 12-25

PUBLIC SAFETY – FRITZ H. GOHL

Monthly Report – Trustee Gohl presented the monthly report.

BUILDING AND ZONING - Joseph S. Messer (report presented in BOT packet)

2 Tricia Lane: Property with two barn structures, the existence of which caused the property to violate F.A.R. requirements. During the June 6th court hearing, Mr. Patel told the Court that he had a contract to remove the smaller of the two barns and would seek a F.A.R. variance from the ZBA to allow the larger barn to remain. He has since removed the smaller barn. The Court gave him until the August 10th status hearing to file for the variance, which was re-scheduled to August 24th. Mr. Patel filed for the variance on August 23rd. This matter should be on the ZBA's September. agenda. The next status hearing on this case is October 31st.

Update: Mr. Patel appeared before the ZBA on September 17th and his request for a variance was denied.

363 Bateman Circle South: Police Department served Ms. Marie Stallone (daughter who signed contract to have trees removed) for August 24th court date re: mitigation. Ms. Stallone failed to appear in Court. Next Status hearing September 27th. The Court wants the Village to produce an affidavit demonstrating service on Ms. Stallone. At that time, Attorney Busch will ask the Court to enter an Order requiring Ms. Stallone to mitigate the damage by re-planting new trees to replace the trees she had removed and a fine of \$750 per day for each day that she fails to comply with the Order.

Update: Officer Deutschle signed the affidavit of service provided by Attorney Busch for the September 27th court date, Attorney Busch was so advised. It was also confirmed by ComEd that the electrical service for this property was terminated on May 8th, the customer then re-connected themselves and ComEd again disconnected the service September 13th after clearing manure from meter and installing a lock. Don Schuman checked the property on September 18th and there were containers of water for the horses at that time.

8 Jennifer Court: Landscape contractor submitted plans to correct septic problem July 25th. Village Engineers reviewed plans and responded via letter on August 6th. Village Engineers had five issues with the plan. No response to date, no deadline for response given. Owner needs to disconnect downspouts from extending over the property to prevent flooding to neighbor's property.

Update: No further response to Village Engineer or Building Department as of September 20th.

551-553 Cuba Road: Home Occupation violation on mulch pile and landscaping material. A letter sent on July 20th with 45 day response date September 4th. No response to date. Village letter was signed for on July 26th.

Update: Dave Myers provided a letter to the Building Department August 29th stating his interest in cooperating and his plans that he is currently working on cleaning up the property. He plans to be in compliance within the next 60 days or October 23rd.

385 Spring Creek Road: Expired pond permit (issued 08/07/06). Final notice letter requiring work to be completed and an "as built" drawing filed with the Village sent to property owner (Roman Udzielak) on 07/20/12 with 45 day response date (09/04/12). No response to date. (Village letter was signed for on 07/26/12).

Update: No response to Village Engineer or Building Department as of September 20th.

594 Plum Tree Road: Roads were started and property has become a dumping ground, although no further complaints since stop work order was posted. Realtor advised the Village the property is occupied by the owner. In March 2012, the Village attempted to hand deliver a letter requiring the owner to file a site development plan for the property based on the excess amount of material brought onto the property. No one home, letter left. No response, previous certified letters never signed for. Building Officer sent certified letters to the property and downtown address from tax bill. Trustee Messer instructed Village to re-visit the property for report tonight.

Update: No response to Village Engineer or Building Department as of September 20th.

3 Saville Row: Resident suspected of running HVAC business from the house in violation of HOO. No violation found based on previous visits. Building Department has property under investigation.

Update: No further complaints.

261 Steeplechase Road: In July, Mr. Saltourous failed to appear in court and the Judge fined him \$200 for two vehicles without vehicle stickers. Fence was lowered to meet Code prior to that. Nothing further on this matter. No ordinance violation.

Update: Attorney Busch advises Mr. Saltourous contacted stating that he would be in court to vacate the \$200 fine. As of September 18th Attorney Busch had not received any notice on this matter.

11-12 Rolling Hills Drive: Tenants at 12 Rolling Hills built a dirt bike track crossing a Ravine and Al Zick's property at 11 Rolling Hills in multiple locations. Ravine filled and blocked with debris. This will cause flooding and standing water. Documentation provided to Attorney Busch to pursue restoration in Housing court.

Update: Attorney Busch filed a petition for declaration of premises as public nuisance and other relief and a summons was issued for both property owner and tenants. Summons was sent by certified mail to each party and return receipt request was signed by each party.

416 County Line Road: The bank has contractors working to complete the roof replacement on the accessory structure and complete work on the residence, pool, spa and pool house.

ZBA Report – The Zoning Board had three items on their agenda.

George & Norma Sachs, 107 County Line Road - requested a variance to construct an addition onto the existing barn. ZBA approved this variance.

Amarish & Trupi Patel, 2 Tricia Lane - requested a variance from the Floor Area Ratio. After building single family house, the accessory buildings exceeded the FAR and residents advised they would take down structures. After removing the smaller one, asked for the other to remain. ZBA denied this variance.

Wesleyan Church Special Use - Pastor Steve Cho, 174 Old Sutton Road, requested a Special Use to maintain an existing religious institution, including an existing church building and storage building and to construct a 40' x 60' free standing building for indoor recreation by members of the Church. ZBA approved this Special Use.

Wesleyan Church Special Use Resolution – Trustee Selman motioned to approve this Special Use Resolution. Trustee Meroni seconded.

Resident, Jerry Lagod of 255 Dundee Road, stated he came to the August 20th meeting to find it was cancelled. He has lived in his house for 40 years, and the church property is higher than his property and would be unsightly to look at. Also, concerned about the noise this facility would bring.

Trustee Ramesh stated that she felt this testimony was out of order as public comment was taken Outside of public comment period.

Resident Berry Phillips, 179 G. Tamarack Lane, stated he purchased his property 29 years ago. The congregation has grown and needs to expand. He felt this was not the proper place to expand and the church should be looking for another location.

In view of these remarks, Trustee Selman rescinded her motion in order for others to come forth with any issues. Trustee Meroni seconded. They asked that this item be tabled to October's meeting

Resolution Tabled

PLANNING – Elaine M. Ramesh

Monthly Report – Trustee Ramesh was not at the September meeting, wherein the Spring Creek Watershed Plan was considered.

The Plan Commission is still waiting for an update from the Village Board on the potential project to explore planning for one of the various areas set out in the Comprehensive Plan. Direction from the Village Board is needed on which area to consider.

Historical Markers – Two Illinois State Historical Markers will be unveiled in Barrington Hills at 1 p.m. Saturday, October 6th. The Ceremony will begin at the David Haeger Schoolhouse and Cemetery with special honor by War of 1812 soldier re-enactors and the Barrington VFW Post. The second historical marker unveiling and closing ceremony will take place on the Ira C. Goodrich Homestead at 3 p.m. on Plum Tree Road.

McHenry County Planning Related Information - The McHenry County Unified Development Ordinance is now available for public review at www.camiro.com/mchenrycoUDO. The county Planning & Development Committee will review the draft in a series of four joint meetings with the county Zoning Board of Appeals. Two meetings have been held already and the next two are September 26th and 27th.

An Open House will be held on September 24th at Prairie Grove Village Hall to explain the efforts to create a Waterfront Neighborhoods Plan.

Cook County Planning Related Information - A Cook County Forest Preserve Recreational Master Plan meeting was held on September 19th in Chicago.

The Village of Barrington has put together a Bicycle and Pedestrian Transportation Plan. The purpose is to provide a network of bikeway corridors to encourage bikeway use for the casual user, children, adults and experienced bikers. Information on the plan may be found at <http://www.barrington-il.gov/index.aspx?page=354>. Barrington's Village Board will vote on the Plan on September 24th.

Cook County Forest Preserve's Master Camping Plan is expected to be finalized later this year.

Flint Creek Watershed Partnership - A meeting was held on June 27th; the next meeting will be on September 26th. A meeting was facilitated for the Hidden Lake homeowners off Oakdene Road to discuss flooding from Flint Creek.

CMAP - CMAP will announce which Local Technical Assistance projects have been selected on October 10th.

Spring Creek Watershed Plan Resolution - Trustee Ramesh did not have all material on this and requested this item be moved to the October meeting.

East Dundee IAA Land Use – Trustee Gianopulos suggested that the Village invite Pond Gate residents to a special meeting to discuss options on how to proceed.

VBH Planning Focus Area - Plan Commission is working on Area 3 and the Board will revisit this issue at the October Board of Trustees meeting.

INSURANCE – Harold Gianopulos

Monthly Report – Renewals for our current program will be available in October.

HEALTH, ENVIRONMENT, BUILDINGS & GROUNDS – Harold Gianopulos

Monthly Report - P. Denise Israel, formerly of the Beautification Committee, announced that at the Civil War Re-dedication in July, the Barrington Area Legion Post presented the Village with a Commemorative Coin that will be kept by Chief Murphy in the Village's display case. She thanked the Board for their new committee name of Heritage & Environs.

ATTORNEY – George Lynch

Pending Litigation - Covered in Executive Session.

Personnel – No report.

ADMINISTRATION – President Pro-Tem Gohl

Appointment – President Pro-Tem Gohl proposed the appointment of Mr. Jan C. Goss for the Heritage & Environs Committee. Trustee Gianopulos made the motion to accept President Pro-Tem Gohl's recommendation. Trustee Meroni seconded. A voice vote was taken.

Motion Approved

PUBLIC COMMENTS:

Pauline Boyle, 315 Ridge Road – requested information on the drainage issues on Ridge Road from Merri-Oaks to Plum Tree.

P. Denise Israel, Heritage & Environs Committee – made a request for volunteers for the Saturday, October 27th Roadside Pick-Up.

Trustee Gianopulos made the motion to adjourn the Public Session at 9:00 p.m. Trustee Meroni seconded. All present voted Aye:

Meeting Adjourned

Approved