

VILLAGE OF BARRINGTON HILLS

Minutes of the Special Meeting of the Board of Trustees
Wednesday, May 14, 2014

President McLaughlin called the Regular Meeting to order at 6:32 p.m. Roll Call.

Present

Martin J. McLaughlin, President
Fritz H. Gohl, President Pro Tem
Joseph S. Messer, Trustee
Karen S. Selman, Trustee
Patty Meroni, Trustee
Colleen Konicek, Trustee
Michael Harrington, Trustee

Michael Murphy, Police Chief (absent)
Richard Semelsberger, Deputy Chief
George Lynch, Village Attorney
Robert Kosin, Village Administrator
Dolores Trandel, Village Clerk

Guests

Pamela Cools, resident
Ginger Underwood, resident
Benjamin LeCompte, resident
David Stieper, resident
Dan Wolfgram, resident
Laurie Abboud, resident
Lou Anne Majewski, resident
Frank Konicek, resident
Jim O'Donnell, resident
Dick Chambers, resident
Leslie Coolidge, resident
Jack Reich, resident
B. Baltensperger, resident
Mary Naumann, resident
Arnold Cernik, resident
Jim Hammond, resident
Michael Hannigan, resident
D. Wamberg, resident
Jason Elder, resident
Dennis Gallitano, resident
Paula Jacobsen, resident
Jerry Groh, resident
Janice Gohl, resident
Patti Fahey, resident
Andy Thessen, resident
Skip Gianopulos, resident
PK Johnson, resident
John Rosene, resident
Jean Maddrell, resident
Daniel Alter, resident
Jan-Dirk Lueders, resident
Jean Maddrell, resident

PUBLIC SESSION

Pledge of Allegiance

PUBLIC COMMENTS:

Public Comments were given by the following:

Pauline Boyle, 315 Ridge Road
Jason Elder, 273 Leeds Drive
David Stieper, 10304 Braeburn Road
John Rosene, 208A Braeburn Road
Lou Anne Majewski, 10317 Haeger's Bend Road
Pam Cools, 32 Little Bend Road
Jack Reich, 110 Brinker Road
Michael Hannigan, 803 Dormy Lane
Berry LeCompte, 350 Bateman Road
Matt Yeterian, 13 Deepwood Road
Sonny Robinson, 123 Deepwood Court
Jean Maddrell, 10 Ashbury Lane
Leslie Coolidge, 345 Old Sutton Road

Audio on these comments can be located at the Village Web Site – www.vbphil.gov. Any written comments handed to the Village Clerk will be posted as an attachment to the Agenda.

Trustee Selman motioned to approved the minutes of the regular session of February 24, 2014 with attachments. Trustee Harrington seconded. Trustees Harrington, Konicek, Meroni, Selman, Messer and President McLaughlin said Aye. Trustee Gohl abstained.

Motion Approved

Trustee Messer motioned to approve further investigation of the Red Run Benefit Race with a possible move forward to a resolution. Trustee Konicek seconded. All present said Aye.

Motion Approved

Trustee Messer motioned to approve the Family Fitness Run, formerly known as the Run For The Arts and move forward a resolution. Trustee Selman seconded. All present said Aye.

Motion Approved

Trustees Meroni and Selman voiced their concern regarding how many of these events the Village will be holding a year. Trustee Messer was concerned about closing the roads and not letting Village residents go about their business.

New Appointments - President McLaughlin asked for a motion to appoint the following.

Richard Chambers to the Zoning board of Appeals, replacing Kurt Anderson's expired term , expiring April, 2019.

Trustee Messer stated that at this time, he would like to make the motion to Kurt Anderson to continue serving on the ZBA. Mr. Anderson was nominated by Trustees Gohl and Meroni.

Trustee Konicek made the motion that Mr. Chambers be appointed as the Chair recognized Mr. Chambers first. I move that Mr. Chambers be appointed to the ZBA replacing Mr. Anderson. President McLaughlin asked for a second. Trustee Harrington seconded but he believes all motions should be voted on.

President McLaughlin asked the Board if they had any questions for Mr. Chambers. He read into the minutes Mr. Chambers biography and as disclosure, he had not met Mr. Chambers until a week or two ago.

Trustee Harrington asked Mr. Chambers what is his interest in the Committee and is there a potential conflict of interest. Mr. Chambers replied it was his civic duty and since he has lived here since 1988, it's about time he did something for the community. I was fortunate to be asked to do this and my own feeling to fulfill a responsibility, I said yes, I will serve and there is no potential conflict of interest that I am aware of.

Trustee Messer asked about his ability to serve year around. Mr. Chambers replied that he anticipates coming to every meeting. Trustee Messer asked if Mr. Chambers resides elsewhere in the winter. Mr. Chambers replied yes. Trustee Messer asked if he will be flying back for the meetings. Mr. Chambers stated he will be at all the meetings as he would fly back for them.

Trustee Selman stated that Mr. Chambers has heard some of the discussion tonight and the interest of many of the residents and we have a person who has been serving on the Board that a lot of people like and we have your appointment. How do you look upon that and what do you think you would bring to the ZBA, will you help balance the ZBA thinking of the residents in total. Mr. Chambers replied the past duties he has had with some of the Boards he had been on, gives me the experience to be able to suppress my own personal feelings or issues that benefit the entire community and that's what I think I bring, unbiased and a balanced approach to looking at all the issues. I know there is conflict between homeowners and horses, I have had horses, I ride horses, I used to take care of horses in Barrington Hills and I am sympathetic to some sort of coming together of the opposing issues. President McLaughlin cautioned the Board that asking how a qualified candidate position before the Village is improper and should be avoided.

President McLaughlin stated that his objective is to listen to all sides of our community to provide representation to all of our neighbors, to restore some balance to the Boards and Commissions. He represents the equestrians, the runners, the conservationists, the hikers, the golfers, the recreational bikers, the farmers, the business owners and the families of our community. Barrington Hills accommodates and promotes interests in our community. We cannot silence certain interests over others through stacking the Boards with like minds. Our community has serious issues before us which will require an active collegial dialogue to occur so that division and mistrust of intentions can become a part of our past. In the spirit of cooperation, he is asking the Board to consider several neighbors from our community who have expressed an interest to serve and he thanked those who are no longer serving, for their dedication to our Village.

Roll Call.

Ayes: 3 (Konicek, McLaughlin) Nays: 4 (Harrington, Meroni, Selman, Messer,)
Absent: 0 Abstain: 1 (Gohl) and he later voted Aye.

Trustee Konicek stated that she believes that our Ordinance requires a vote from all members of the Board except for the President and Trustee Gohl cannot abstain from voting unless he has a personal conflict of interest and knowing Mr. Chambers is not a conflict of personal interest.

Attorney Lynch stated that abstention is a vote. It does not say he can't abstain. Trustee Gohl stated that if his abstention is in question, then he will vote Aye.

Motion Denied

President McLaughlin asked for a motion to appoint Richard Chambers to the Zoning Board of Appeals, replacing George Mullen, who has retired and resigned from the ZBA, expiring April, 2019. Trustee Harrington motioned to appoint Richard Chambers to the Zoning Board of Appeals. Trustee Konicek seconded.

Trustee Harrington stated that he didn't vote for Mr. Chambers because the incumbent in that position, Kurt Anderson did a great job. He serves on that Committee and if you do a good job, you deserve a chance to continue. If you are willing to continue to volunteer and you serve admirably, you should be able to have the priority to have and he doesn't understand why Kurt Anderson was not re-nominated. It is nothing against you, Mr. Chambers, you have a great background and I believe you want to serve and should have that opportunity and that is my basis for my no. Trustee Meroni stated that Kurt Anderson has done a good job and has asked to continue on the ZBA and she nominated him. President McLaughlin asked Trustee Meroni, he was asked to continue by whom. She replied that he has asked to continue. President McLaughlin said that is not correct. Mr. Anderson wrote to President McLaughlin that he was sorry about my decision to thank him for his service and my desire to nominate another party. Trustee Meroni said Mr. Anderson sent an email to the board asking to be re-nominated and she then nominated him on Friday and President McLaughlin sent her an email where he states: Thank you for your request however the President nominates and the board of trustees vote and approve nominations. As I am sure you are aware I am not nominating Mr. Anderson at this time after the expiration of his term and I have communicated this to him. I feel there is some ambiguity in our Village Code and it is open to interpretation and the interpretation that I have from several attorneys is that I do have the right to make a nomination and I stand by my nomination and that is why I am not going to vote for Mr. Chambers.

Trustee Messer said to President McLaughlin that he thinks we have a misunderstanding, that you solely have the power to nominate people. That is not the case. The Code does not allow you to solely nominate. You cannot dictate who we are going to vote on and who we are not going to vote on. You don't have that power in the Code. President McLaughlin stated that State Statute gives him the right. Trustee Konicek read the Illinois State Statute 65-ILCS 5/11-13-2. Trustee Messer stated that the State Statute does not apply and we are a Home Rule Municipality.

Trustee Konicek ask Attorney Lynch his interpretation. He stated that the President has the power to move and to make the nomination and the check and balance on that has provided for that on the Zoning Board of Appeals relies on your vote. I don't think under our Code and State law that Board members have the right to nominate. If it were so, everybody would be nominating everyone and we would have anarchy and there would be no check and balance then.

President McLaughlin asked Attorney Lynch for further clarification, how many years has he been working for the Village. He replied thirty-two. President McLaughlin asked, in that time, how many times has Board member, not the President nominated anyone to the Plan Commission or Zoning Board to your knowledge. He replied that he had no record of that.

Roll Call.

Ayes: 4 (Harrington, Konicek, Gohl, McLaughlin)

Nays: 3 (Meroni, Selman, Messer)

Absent: 0

Abstain: 0

Motion Approved

Trustee Harrington addressed President McLaughlin respectfully requesting that Kurt Anderson be considered for re-nomination. President McLaughlin replied that he thanked Kurt for his service, he did a great job, but his job was to open our Boards to other people in our community who desire to serve. I would reject that request, but thank you.

President McLaughlin asked for a motion to appoint Daniel Wolfgram to the Zoning Board of Appeals, replacing Kurt Anderson, expiring April, 2019.

President McLaughlin asked Mr. Wolfgram to step forward to answer any questions that the Board may have. Mr. Wolfgram is a sitting member of the Plan Commission and was voted in last summer. President McLaughlin asked Mr. Wolfgram to give the Board highlights of his service.

Mr. Wolfgram stated that he served previously on the Plan Commission for about thirteen years until nine years ago and five of those years were as Chairman of the Plan Commission and I was subsequently appointed last summer to the Plan Commission. I have not missed a meeting since that started.

Trustee Konicek stated that as Trustee Liaison to the Plan Commission, I have attended a majority of the meetings since being sworn into office and Mr. Wolfgram has always been well prepared and makes reasoned and unbiased participation on all of the issues that have been brought forward to the Plan Commission during the past year of service.

Trustee Konicek motioned to appoint Daniel Wolfgram to the Zoning Board of Appeals, Trustee Harrington seconded.

Trustee Harrington asked Mr. Wolfgram what is his re-interest in government and is there a potential conflict of interest you may have in this position. Mr. Wolfgram replied that he is very interested in the well being of the Village and being a participant and helping it get better than it is and I enjoyed the service on the Plan Commission previously and was willing to serve again when asked. The Zoning Board would be more complicated, a little more active. I enjoy problem solving and I think I would bring level headedness to address the issues. President McLaughlin read into the record, Mr. Wolfgram's biography.

Trustee Gohl said the Mr. Wolfgram is currently on the Plan Commission and his term is not up until 2016. So if you are nominated to the Zoning Board that that would become a vacancy. So if he is not approved, he will still be on the Plan Commission.

President McLaughlin asked Mr. Wolfgram if he had any correspondence with any of the Trustees. He replied that Mr. Messer called him today and he called him back and they had a conversation.

Roll Call.

Ayes: 3 (Konicek, Selman, McLaughlin)

Nays: 3 (Harrington, Messer, Gohl)

Absent: 0

Abstain: 1 (Meroni)

Trustee Konicek again stated she believes that our Ordinance requires a vote from all members of the Board. Attorney Lynch will research this before the next meeting.

Motion Denied

George Panos to the Police Pension Board expiring April, 2016. Trustee Gohl motioned to appoint George Panos to the Police Pension Board. Trustee Messer seconded. Roll Call.

Ayes: 7 (Harrington, Konicek, Selman, Meroni, Messer, Gohl, McLaughlin)

Nays: 0

Absent: 0

Abstain: 0

Motion Approved

Re-Appointments – President McLaughlin asked for a motion to appoint the following.

Kenneth Bosworth, Plan Commission Chair expiring April 2015. Trustee Gohl motioned to approve the appointment. Trustee Selman seconded. All present said Aye.

Motion Approved

Lou Anne Majewski, Plan Commission expiring April, 2017. Trustee Gohl motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

Julie Joyce, Plan Commission expiring April, 2017. Trustee Harrington motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

Arnold Cernik, Plan Commission expiring April, 2017. Trustee Selman motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

Emily McHugh, Equestrian Commission & Chair expiring April, 2015. Trustee Selman motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

Bruce Pfaff, Equestrian Commission expiring April 2015. Trustee Harrington motioned to approve the appointment. Trustee Selman seconded. All present said Aye.

Motion Approved

Jane Clement, Equestrian Commission expiring April, 2015. Trustee Selman motioned to approve the appointment. Trustee Gohl seconded. All present said Aye.

Motion Approved

John Pappas, Equestrian Commission expiring April, 2015. Trustee Selman motioned to approve the appointment. Trustee Gohl seconded. Trustees Harrington, Selman, Meroni, Messer and Gohl said Aye. Trustee Konicek and President McLaughlin abstained.

Motion Approved

Patti Fahey, Equestrian Commission expiring April, 2015. Trustee Selman motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

P. Denise Israel, Heritage & Environs Committee expiring April, 2015. Trustee Selman motioned to approve the appointment. Trustee Meroni seconded. Trustees Harrington, Selman, Meroni, Messer and Gohl said Aye. Trustee Konicek and President McLaughlin abstained.

Motion Approved

Lorraine Briggs, Heritage & Environs Committee expiring April, 2015. Trustee Selman motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

Donato Cantalupo, Heritage & Environs Committee expiring April, 2015. Trustee Meroni motioned to approve the appointment. Trustee Selman seconded. All present said Aye.

Motion Approved

Daniel Mjolsness, Heritage & Environs Committee expiring April, 2015. Trustee Harrington motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

Jan C. Goss, Heritage & Environs Committee expiring April, 2015. Trustee Selman motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

Jennifer Kainz, Heritage & Environs Committee expiring April, 2015. Trustee Harrington motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

Lisa Gabriel, Heritage & Environs Committee expiring April, 2015. Trustee Harrington motioned to approve the appointment. Trustee Selman seconded. All Trustees present said Aye. President McLaughlin abstained.

Motion Approved

Gary Gabriel, Heritage & Environs Committee expiring April, 2015. Trustee Harrington motioned to approve the appointment. Trustee Selman seconded. All Trustees present said Aye. President McLaughlin abstained.

Motion Approved

George Moser, Emergency Telephone System Board expiring April 2016 and as Chairman expiring April, 2015. Trustee Selman motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

Patrick Hennelly, Emergency Telephone System Board expiring April, 2016. Trustee Meroni motioned to approve the appointment. Trustee Harrington seconded. All present said Aye.

Motion Approved

Joanne Gumprecht, Emergency Telephone System Board expiring April, 2016. Trustee Selman motioned to approve the appointment. Trustee Meroni seconded. All present said Aye.

Motion Approved

Dr. Gwynne Johnston, Board of Health expiring April, 2016 and as Chair, April, 2015. Trustee Harrington motioned to approve the appointment. Trustee Gohl seconded. All present said Aye.

Motion Approved

Dr. Frank Konicek, Board of Health expiring April, 2016. Trustee Meroni motioned to approve the appointment. Trustee Harrington seconded. Trustees Harrington, Selman, Meroni, Messer, Gohl and President McLaughlin said Aye. Trustee Konicek abstained.

Motion Approved

Dr. Anne Majewski, Board of Health expiring April, 2016. Trustee Harrington motioned to approve the appointment. Trustee Gohl seconded. All present said Aye.

Motion Approved

Dr. Shirley Conibear, Board of Health expiring April, 2016. Trustee Meroni motioned to approve the appointment. Trustee Harrington seconded. All present said Aye.

Motion Approved

Chet Ryndak, Board of Health expiring April, 2016. Mr. Ryndak requested that, at this time, he not be reappointed.

Committee Retirement Report – President McLaughlin formerly retired the following committees. The Legal Committee, the Technology Review Committee and the Development Committee.

Trustee Selman made the motion to adjourn the Public Session at 8:25 p.m. Trustee Meroni seconded. All present said Aye.

Meeting Adjourned

Approved