

# VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting September 24, 2007

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

## Present

Robert G. Abboud, President  
Fritz H. Gohl, Pro-Tem  
Steven E. Knoop, Trustee  
George L. Schueppert, Trustee  
Julie McKevitt, Trustee  
Walter E. Smithe, Trustee  
Beth Mallen, Trustee  
Douglas Wambach, Village Attorney  
Robert Kosin, Director of Administration  
Michael N. Murphy, Police Chief  
Elaine Ramesh, Village Clerk  
Dan Strahan, Village Engineer

## Guests

Gerald Callaghan, Attorney  
Janet Agnoletti, resident  
Meryl and Richard Cannon, residents  
Carol Hill, resident  
Benjamin and Cathy LeCompte, residents  
Thomas Hayward, Jr., resident  
Arnold Cernik, resident  
Mike Zahar, resident  
Garret Bootun  
Christine Blendou, resident  
Marty Robins, resident  
John Kuechmann, resident  
Jenese Busch, resident  
Guy Youman, Attorney  
Pam Cools, resident  
Kathy Soeder, resident  
Mark Harris, Builder  
Patrick McKevitt, resident  
Peter Wessel, resident  
Ginny Laterza, resident  
Bill Ladier, resident

Trustee Gohl motioned to adjourn to Executive Session to discuss pending and threatened litigation at 6:40 pm. Trustee McKevitt seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKevitt, Smithe, Gohl, Abboud)

Nays: 0

Absent: 0

**Meeting Adjourned**

## **EXECUTIVE SESSION**

## **PUBLIC SESSION**

President Abboud called the Public Session to order at 7:45 pm.

### **Abbey Woods Special Services Area Public Hearing**

President Abboud opened a public hearing to discuss the creation of a second special services area for the Abbey Woods subdivision. Attorney Jerry Callaghan indicated that the subdivision will obtain sewer and water services from Barrington. In conjunction with providing the service, Barrington Hills must create a special services area in order to create a special tax district as required by the intergovernmental agreement between Barrington and Barrington Hills. The purpose of the district is for the maintenance and repair of the public water and sewer facilities, if the homeowners' association is unable to pay for maintenance and repair. Before legislating the special services area, a public hearing must be held. President Abboud asked if anyone in the audience wished to speak on the matter. There were no public comments. The next step in the process is that within sixty days an establishing ordinance will be proposed.

Trustee Gohl motioned to close the Public Hearing. Trustee Schueppert seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKeVitt, Smithe, Gohl, Abboud)

Nays: 0

Absent: 0

**Public Hearing Adjourned**

## **MINUTES**

Trustee McKeVitt motioned to approve the minutes of the Regular Meeting of August 20, 2007 with certain corrections. Trustee Gohl seconded. All present said aye, except Trustees Mallen, Knoop and Schueppert who abstained.

**Motion Approved**

Trustee McKeVitt motioned to approve the minutes of the Executive Session of August 20, 2007. Trustee Gohl seconded. All present said aye, except Trustees Knoop and Schueppert who abstained.

**Motion Approved**

Trustee Schueppert motioned to approve the minutes of the Executive Session of August 13, 2007. Trustee McKevitt seconded.

Trustee Knoop motioned to table the approval of the minutes of the Executive Session of August 13, 2007 until the next regular Village Board meeting. Trustee Schueppert seconded. All present said aye.

**Motion Approved**

**FINANCE – Walter E. Smithe**

Treasurer's Report – Trustee Smithe presented the Treasurer's report for the month of August, 2007. Trustee Smithe motioned to accept the Treasurer's report as presented. Trustee Gohl 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 August 2007 and the year-to-date summary of activity as presented. Trustee Gohl seconded. All present said aye.

**Motion Approved**

Presentation of Bills – Trustee Smithe motioned to approve the payment of the bills for the month of September to date of \$379,408.88. Trustee Gohl seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKevitt, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

**Motion Approved**

Overtime Reports – Trustee Smithe motioned to approve \$5,232.05 in overtime expenses for August 1, through 15, 2007 and \$10,257.49 for August 16 through 31, 2007. The reasons for the overtime expenses were discussed. Trustee Gohl seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, Knoop, McKevitt, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

**Motion Approved**

Finance Committee Report – Trustee Smithe stated that work had commenced on next year's budget and that new accounting software was being considered. The Legal Committee has been asked to provide an estimate of the finances which might be required for litigation in 2008. President Abboud indicated that he will review the Treasurer's compensation with the Finance Committee. Since delivery of the Cook County property tax revenues owed to the Village will be delayed; the Village must consider how to readjust this year's budget to account for the change in cash flow. The Finance Committee may need to inquire about tax anticipation warrant financing to bridge the gap until tax revenues are received.

Personnel Committee Report – At the most recent meeting, the Committee continued work on an employee handbook. The handbook may be submitted to the Board for their review at the next regular Village Board meeting.

Trustee Smithe motioned to approve obtaining the services of an appraiser to move forward with potential purchase of 114 Algonquin Rd. and to authorize expenditure of up to \$100.00 for the appraiser's services. Trustee Gohl seconded. All present said aye.

### **Motion Approved**

### **ROADS AND BRIDGES – Julie McKeivitt**

Monthly Report – Trustee McKeivitt indicated that the 2007 road work should be finished by October 5<sup>th</sup>. Trustee McKeivitt met with Cook County transportation officials to discuss a reduction in the speed limit on certain County roads within Barrington Hills. She also reported that the Village is handling drainage issues in many areas. President Abboud requested that Trustee McKeivitt draft a back-up plan for meeting the Village's snowplowing needs in the event that Cuba Township is unable to do the work.

Mr. Kosin attended an EJ&E quiet zone meeting. He reported that it is currently projected that after 2009 (when a particular crossing at Lake Street in Bartlett is reconstructed) a quiet zone may be imposed, after approval by the appropriate federal authorities.

2007 Stormwater Drainage Program – Trustee McKeivitt reported that four bids were received for the 2007 drainage program. The low bidder was Landmark Contractors, Inc. of Huntley, Illinois. The work is to begin in October and should be completed in November. It was anticipated that the program might cost about \$85,000, but it appears that the work will be more expensive.

2007 Stormwater Drainage Contract – Trustee McKeivitt motioned to award the 2007 stormwater drainage program contract in the amount of \$104,580.95 to Landmark Contractors, Inc. of Huntley, IL. MFT funds will be used for this work. Trustee Mallen

seconded. Trustee Schueppert requested that the Village Engineer confirm that the work to be done will be done, since their bid was so much lower than the others submitted.

President Abboud requested the numbers for the cost structure of the Village's road program going forward. Trustee McKeivitt reiterated that it is important that the bill for the drainage work be paid in a timely manner by the Village. Roll Call.

Ayes: 7 (Mallen, Schueppert, McKeivitt, Knoop, Smithe, Gohl, Abboud)

Nays: 0

Absent: 0

**Motion Approved**

**PLANNING – Steven E. Knoop**

Monthly Report – Trustee Knoop reported that there was no meeting of the Planning Committee or the Development Committee during the past month.

LUCA/US Census Participation – The Local Update of Census Addresses (LUCA) program relates to participation in the national 2010 census. Local government cooperation will allow the conducting of the census in the most accurate manner. Training workshops will be held in the next few months.

Trustee Knoop motioned that the Village Board approve Village participation in the LUCA program. Trustee McKeivitt seconded. All present said aye.

**Motion Approved**

**PUBLIC SAFETY – Fritz H. Gohl**

Monthly Report – Trustee Gohl deferred to Chief Murphy who presented the Police Report for activity in the month of August 2007.

Target Shooting Amendment Ordinance - An amendment to the target shooting ordinance has been drafted. At present, eight granted target shooting permits and two applications for permits exist according to Police Chief Murphy. It was indicated that an individual's right to use his property should be balanced against the right of neighbors to enjoy peace and quiet on their properties; and that the existing code does provides a level of flexibility discretion in granting permits.

Trustee Gohl motioned to open discussion of the draft target shooting ordinance amendment. Trustee Mallen seconded. All present said aye.

**Motion Approved**

Trustee Mallen thanked Chief Murphy, Trustee Gohl and attorney Wambach for their efforts to date on the amendment. Trustee McKeivitt indicated her concern that the amendment as currently drafted effectively appears to prohibit an activity which is now currently allowed on a five acre property. It was suggested that adjacent landowners should work together to come to an agreement as to the acceptable amount of shooting. Paddy McKeivitt suggested additional language to require the permit holder to be present when shooting takes place. President Abboud also suggested that perhaps a minimum age limitation for those allowed to use the approved range would be appropriate. Attorney Wambach will revise the draft ordinance, in accordance with the matters discussed, for the Trustees consideration.

Alcohol Possession Amendment Ordinance - Trustee Gohl motioned to approve Ordinance 07-17, amending Section 8-2-4 of the Village Code regarding possession of alcohol by a minor. Trustee Mallen seconded. All present said aye.

**Ordinance 07-17 Approved**

### **BUILDING AND ZONING – George L. Schueppert**

Building Permit Report – Trustee Schueppert reported that nine building permits had been issued during the month of August 2007. They included permits for one alteration, one addition, one accessory building, two pools and one demolition. The total number of permits is down for the year as compared to last year.

ZBA Report – Trustee Schueppert reported that at the most recent meeting, the ZBA considered a petition for a variance to build a barn on 104 Brinker Rd.; and required its re-submission. Other submitted petitions for variances did not meet notice standards, so re-submission of those petitions after satisfaction of the notice requirements was requested. He also reported that the ZBA heard a presentation by a noise expert on the facets of noise regulation and that the ZBA's draft Heritage Tree preservation ordinance may be ready for review at the next regular Village Board meeting.

Stable Permit Moratorium Resolution – Trustee Schueppert motioned to approve Resolution 07-16 regarding a 60 day moratorium on the issuance of permits to build equestrian and agricultural structures of 10,500 square feet or larger; in order to review the Building Code standards for this type of edifice. Trustee Mallen seconded. Trustee Schueppert provided the background for the proposed moratorium. He stated that as a result of a request under consideration from the LeCompte family for a final addition to their barn complex it was discovered that there is an inconsistency between the requirements of the zoning ordinance and the requirements of the building code. Since there is an ambiguity in the interpretation of the requirements, Trustee Schueppert recommended that a resolution be adopted to put a moratorium on approvals until the inconsistencies are resolved so that every resident can receive consistent, fair and equitable treatment. Trustee McKeivitt indicated that she was currently planning to build

an indoor arena which would fall within the size limits for the moratorium. Several audience members had comments about the resolution. Roll Call.

Ayes: 5 (Mallen, Schueppert, Knoop, Smithe, Gohl)

Nays: 1 (Abboud)

Absent: 0

Abstention: 1 (McKevitt)

**Resolution 07-16 Approved**

## **PUBLIC COMMENTS**

President Abboud opened a thirty-five minute session for public comments at 10:06 pm. After confirming that all those who wished to speak had already spoken earlier, the public comments session was closed.

### **INSURANCE – George L. Schueppert**

Monthly Report – Trustee Schueppert reported that Village had taken out liability coverage for the 50<sup>th</sup> anniversary events. President Abboud requested that Trustee Schueppert contact MCOG's insurance group to inform them of what health insurance coverage Barrington Hills obtained for its staff. In conjunction with switching to the new provider, at present only about \$25,000 would be owed to the previous provider for outstanding claims, rather than the \$88,000 previously projected.

### **HEALTH, BUILDINGS & GROUNDS, ENVIRONMENT – Beth Mallen**

Strategic Plan for Village Building – Trustee Mallen reported that the canopy project has been completed except for the kennel renovation; that lock up renovation in the Police Department is underway; and that the exterior lawn sprinkler system has been turned off for the season.

Board of Health – At the September Board of Health meeting, open burning was discussed.

Trustee Mallen reported that McHenry County is considering a burning ordinance; which will likely be discussed at their December meeting. She also reported that the Illinois Department of Public Health is now preparing to enforce smoking regulations next year. With respect to the new non-smoking rules, certain signs might be required on Village property. The Barrington Hills Board of Health will work with the Communications Committee to make sure that information is disseminated to residents in a timely manner.

President Abboud, Mr. Kosin and Trustee Mallen will meet shortly to discuss the budget for the new furniture.

Communications Committee - Trustee Mallen reported that the next 50<sup>th</sup> anniversary event will be the Oct. 6<sup>th</sup> Blessing of the Hounds and breakfast at the Barrington Hills Country Club. A question was presented to the Board about the possibility for Barrington Hills to serve as the location for Olympic equestrian events, but it is believed that Lake County already has a solid proposal for hosting the event. Trustee McKeivitt and Mr. Kosin will provide a short status report on this issue at the next Village Board meeting.

#### **ATTORNEY – Douglas Wambach**

Attorney Wambach stated that matters of litigation had been addressed in Executive Session.

#### **ADMINISTRATION – Robert G. Abboud**

Busch/Laterza Property Donation Proposal - The Busch's and Laterza's wish to convey a portion of a lot at 10609 Haegers Bend Rd. to the Village with certain conditions. Mrs. Busch would like to donate a portion of her property to the Village of Barrington Hills which she envisages would be used as a ten foot wide walking trail. In order to create the trail, brush and trees would have to be cleared, and fencing and shrub barriers would also need to be installed. Mr. Kosin indicated that it may be costly to prepare the trail due to the limited accessibility to it. The cost could be about \$250,000. However, since there is currently no parking, there would also be no true public access. Moreover, public safety is a concern as it would be difficult to police and secure the length of the secluded trail, surrounded by private property.

President Abboud indicated that improvements to the property required to create the walking trail may be prohibitively expensive; unless donors can be found to fund and/or volunteer to complete the project. Mrs. Busch's attorney will work with the Village attorney and Mr. Kosin to try to reduce the anticipated cost of the project by modifying what materials would be used to create the trail. An updated version of the proposal will be prepared and submitted by Mrs. Busch's attorney for the Board's review.

School District 220/300 Intergovernmental Agreement – Trustee Gohl indicated that an intergovernmental agreement with District 300 might be advisable. President Abboud, Trustee Gohl and the Village attorney will discuss this matter during the next month.

President Abboud reported that BACOG had been asked by the Illinois Municipal League to supply a resolution related to the problems associated with disconnection. He also reported that an application prepared by residents for designation of Spring Creek Rd. as a scenic drive had been turned down. He commended the residents for their efforts in preparing the application, and commented that the application contained many pictures which illustrated the natural beauty along that road.



Trustee Knoop motioned to return to Executive Session at 11:14 pm to discuss settlement of pending litigation. Trustee McKeivitt seconded. Roll Call.

Ayes: 7 (Mallen, Schueppert, McKeivitt, Knoop, Smithe, Gohl, Abboud)

Nays: 0

Absent: 0

**Meeting Adjourned**

**EXECUTIVE SESSION**

**PUBLIC SESSION**

President Abboud called the Public Session to order at 11:46 pm.

Trustee Schueppert motioned to adjourn the Public Session at 11:47 pm. Trustee Knoop seconded. All present said aye.

**Meeting Adjourned**

**Approved** \_\_\_\_\_